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SUBMISSION TO THE

Royal Commission On The Northern Environment
On The Impacts

Of The

Cochrane District Land Use Plan

As Proposed By The

Ministry of Natural Resources

Brief Prepared By The

New Post Band # 69

DATE: December 1, 1982.

Subimmssion to the Royal Commission on the Northern Environment by the New Post Band No. 69.

Introduction:

This submission has been prepared by the New Post Band No.69 in fulfillment of an agreement between the Royal Commission on the Northern Environment and the Band. The New Post Band Council has attempted to facilitate the work of the Royal Commission by addressing the subject matter of the inquiry as outlined in the Order in Council of July 13, 1977: "to inquire into any beneficial and adverse effects on the environment... of any public or provate enterprise," and "to inquire into the methods that should be used in the future to assess, evaluate and make decisions concerning the effects on the environment of such major enterprises. "(O.C. 1900/77 13th. July. 1977, P.2)

Project Description:

The New Post Band has formulated the following project objectives:

- 1) To understand the Cochrane District Land Use Plan and its implications for local and traditional users and to understand the proposed nature of the ongoing planning process;
- 2) To state concerns with the plan and specify conflicts between the views of the Band and the proposal options for the use and development of land in the Cochrane District;
- 3) To state the concerns of the Band regarding the future development of the area and the role that the original people wish to play in both traditional and non-traditional resource land use and development;
- 4) To recommend amendment to the decision making process that would allow the original people greater participation and input into the future of the area. The project has involved a review of documents related to the Cochrane District Plan, a discussion and survey of membership opinion concluded at a general

band seminar, and a compilation and analysis of the fundings of both.

Local and Traditional Users (Participation)

The Ontario Ministry of Natural Resources has stated that it will "actively involve lacal people and traditional resource users in the preparation of its land use plans. The public participation program will emphasize the identification and consideration of the needs and wants of this group as a priority.... Native people living in Northeastern Ontario are among the local and traditional users of certain natural resources. When plans are being prepared the urgent need to communicate effectively with the people nust be recognized."

(Northeastern Ontario Strategic Land Use Plan, April 1982, P 9.)

The people of the New Post Band are the original occupants of much of the area covered by the Cochrane District Land Use Plan; their Reserve and their traditional lands are located near the center of the Cochrane Planning Area. Though, the population of the New Post Band is small in relation to the total population of the Cochrane District, the interest of the New Post people in the land is not proportionally diminished. The Strategic Land Use Plan for Northeastern Ontario recognizes this and states that the resource rights of Treaty Indians will be one of the four priorities guiding the allocation of resources within the Region. Nevertheless, the Cochrane District Land Use Plan implies that the resource rights of the New Post people are limited to the area within the boundaries of the Reserve. The recognition of the existance of a Status Indian presence in the planning area is largely confined to a statement that the development of the New Post Reserve's resources should be compatible with the management of surrounding Crown Lands. There is no suggestion that, perhaps, the surrounding Crown Lands ought to be managed in a manner compatible with the future of the New Post people so that traditional rights to

certain resources are safeguarded. There is no suggestion that the needs and wants of the New Post people have been given priority.

The membership of the New Post Band was manifestly not consulted during the plan making process and remained vertically unaware of the existance of the plan until an 11th hour invitation to attend an open house to comment on the proposed policy and plan options. The Band rejected this after the fact approach to consultation and refused to participate in any process that reduced this special status as original inhabitants to the same level as the public at large.

Obviously, there is a disparity between the local and traditional user policy and the application of that policy at the District level. This gap may result from a complex of factors, or it may result from simple oversight. It may be that the District level planning process cannot reasonably be expected to reconcile the conflict inherent in the linking of priorities at the Regional level:

" The allocation of the Region's fish and wildlife resources will be guided by the following priorities:

- 1) Maintenance and/or rehabilitation of the resource,
- 2) the resource rights of Treaty Indians,
- 3) recreational benefits to the residents of Ontario, and
- 4) the greatest economic benefits to Ontario."

(Northeastern Ontario Strategic Land Use Plan, April 1982, P. 9.)

It maybe that the District level planning process has been influenced by the ambiguous status accorded Indian Rights in the Regional document:

" the existing Treaty and Aboriginal rights as referenced in the Canadian Constitution will be further defined at future Constitutional Conferences."

(Northeastern Ontario Strategic Land Use Plan)

Such Constitutional change is purely speculative and there is no

reasonable expectation that Ontario will be supportive of changes that elaborate Treaty and aboriginal rights. Indeed the ongoing abrogation of existing rights may render future change meaningless.

It is the intention of the New Post Band to make such recommendations for change as can be initiated within the context of current legal and governmental processes, without predjudice to future Constitutional discussions.

The Royal Commission in its report, the Road to Detour Lake,
states that its task is to "explore various means of ensuring that
Northerners are involved in decision-making on issues that effect them."

The Ministry of Natural resources, on its side, has stated that

"the application of local and traditional user policy maybe modified
in response to the recommendations of the Royal Commission on the

Northern Environment."

The New Post Band releives that, if suggestions for change are received with trust and imagination, the Indian people may once again become full and active participants in the future of the land that has always been their homeland.

The New Post Band

The population of the New Post Band is approximately seventy-two persons. Every present Band member belongs to either the Archibald or Sutherland family. The New Post Indian Reserve has never been accupied and there is no "on-reserve" population. Over the years the absence of a home community has caused the people of the Band to become dispersed throughout the North; the alarge part of the Band however, still lives in the Cochrane area.

The administration of the New Post Band falls within the James
Bay District of the Department of Indian Affairs, Ontario Region. The
New Post Band is a member of the James Bay Tribal Council along with
the Indian communities of the Ontario portion of the Hudson's James
Bay coast, (with the exception of fort Severn which is affiliated

with the Kayanha Tribal Council.)

On the national and international level of political interaction the Band is represented by the Band Council of Treaty #9-the Nishnawbe/

By reason of the membership's off-reserve residence status, the Band has not been the recipient of many of the Federal programs normally received by the Status Indian population of Ontaro.

Recently, the band has begun to receive funds for organizational purposes which have enabled the membership to come together for regular general meetings. The focus of the several Band meetings that have been held, has been the acquisition of a site for a "home community."

The location of the present unoccupied reserve does not favor the development of a new townsite. Remoteness, lack of access and the complex loack of infrastructure have all been considered as factors is prompting the Band to look elsewhere for a suitable home community site.

The New Post Band members have continued to utilize the resources of the land around their present reserve but no one has yet taken up full time residence on the reserve. Island Falls was the community location for the Band membership up intil the early 1960's. Perhaps, the location of the designated reserve was less than satisfactory as a site for a community. The Treaty commissioners describe the site of the Hudson's Bay Company's New Post, which was the locus of the Bands activities, as being on "a beautiful bend of the Abitibi River and commands an excellant hunting country." Of course, in the days before road and rail, rivers provided the means of transportation and communicate the Hudson's Bay Company had given much thought to the location of their 'New' Post.

Why then did the New Post Indian people choose a reserve site some "eight miles inland from New Post" situated so that the reserve did not touch on with New Post Creek or on the Abitibi River? In fact they had no choice since an agreement between Ontario and Canada had

already stipulated that "no site suitable for development of waterpower exceeding 500 horse-power shall be included within the boundaries
of any reserve." (Agreement Between the Dominion of Canada and the
Province of Ontario, July 3, 1905.)

By conincidence, the site of one of the few reserves never to be occupied is adjacent to the site of the Abitibi Canyon Generating Station. Which was at one time the largest installation in the Province; today the only road access approaching the reserve is across the power dam. The Nishnawbe/Aski: The people and the Land

New Post Band members are part of a larger community known as the Nishnawbe Aski- the Ojibway and Cree people of what is now Northern Ontario. In Ojibway, the word Nishnawbe means the People; in Cree the word Aski means the land. Together the words symbolize the unity of man and the land. The Nishnawbe Aski did not beleive that man could own the land anymore than man could own the sky. Man could share the land with other creatures; man could move across the land to hunt, trap and fish. With the passage of time, families or groups of people could come to be associated with a particular area. Certain lands could come to be known to them as the traditional area occupied by a particular group of people. Affiliated groups of people would in turn recognize the right of each group to enjoy the use of certain lands; together the common rights of all the people amounted to sovereigntythat is - the right of the Nishnawbe Aski to occupy the land as Sovereign People. Still, the concept of sovereignty cannot be equated with the concept of ownership of property. The land beloged to the Nishnawbe Aski in the same way that Britain belongs to the British. The land could no more be sold than sovereignty itself auld be sold. The a titude of the encroaching society was, of course, quite different.

New Post and the Treaty

On August 21, 1905 the James Bay Treaty, or Treaty No. 9 was signed at New Post by Anges Weenusk, John Luke and William Gull on

behalf of the people of New Post. Genealogical reserch by the New Post Band shows that these three men left no progeny and none of the present membership is descended from them.

" For one week we were engaged with the strong rapids of the Moose and Abitibi River, and did not reach New Post, our next point of call until 12:30 on Saturday, the 19th. New Post is a small and comparatively unimportant post of the Hudson's Bay Company. It is situated on a beautiful bend of the Abitibi River, and commands an excellent hunting country. The post is in charge of Mr. S. B. Barrett, and nowhere was the commission received with greater consideration and hospitality than at this place. The New Post Indians, although few in number, are of excellent character and disposition. They met us with great friendline The treaty was concluded on Monday, the 21st, and the Indians were at once paid. The reserve question was also discussed, and the location finally fixed as shown on the schedule of reserves. One of the leading Indians, Esau Omakess, was absent from the reserve during the negotiation He, however, arrived during the time the payments were being made, and signified his approval of the action being taken by his fellow Indians. He was subsequently chosen unanimously as chief of the Band." (Scott, Stewart and MacMartin, The James Bay Treaty, Queens Printer, Ottawa, 1964, P 10.)

Accordingly, the Band was allocated a reserve of 8 square miles which followed from the Treaty formula of I square mile per family of five. From the Schedule of Reserves appended to the James Bay Treaty the description of the New Post Reserve lands is as follows:

"In the province of Ontario, beginning at a point one mile south of the lake known as Taquahtagama, or Big Lake, situated about eight miles inland south from New Post on the Abitibi River, thence in a northerly direction about four miles, and of sufficient depth in an easterly direction to give an area of eight square miles."

(James Bay Treaty P 12.)

In addition to this land area each Indian was to be made a present of eight dollars "with a view to show the satisfaction of His Majesty with the behavior and good conduct of His Indians"

Altogether, some ninety thousand square miles of territory were deemed to have been ceded to the Crown by the Nishnawbe Aski. Many opinions have been offered as to the validity of the Treaty but to this report to enter into the intricate legal territory surrounding the interpretation of the Treaty and Aboriginal rights or comment on the validity of the Treaty.

Nevertheless, since the subject matter of this report concerns land use and the New Post Indian people certain basic questions must be addressed.

It is clear that Indians were not expected to live and survive from the fruits of the land within their reserve. In the report to the Superintendant General of Indian Affairs, Nessrs Scott, Stewart and MacMartin, the three Treaty Commissioners state that " it is doubtful whether the Indians will ever engage in agriculture, these reserves, being of a reasonable size will give a secure and permanent interest in the land which the indeterminante possession of a large tract could never carry".(J.B.T. Pg.ll) It should be further noted that Treaty No. 9 had no provision as did other numbered Treaties:

"Beginning with Treaty No. 3 and expecting only Treaties Nos. 9 and and additional provisions were included for supplies intended to help

10, additional provisions were included for supplies intended to help Indians utilize their lands" (Peter Cumming and Neil Micherberg(ed), Native Rights in Canada, Toronto, 1972, Pg. 125)

Treaty 3 contained provisions for the supply of farm implemments animals and seeds " to be given once and for all for the encouragement of the practice of agriculture among Indians." (Native Rights Pg. 316)

If agriculture was not foreseen as a means of support and, self sufficiency it must have been intednded that a much larger area of land would provide

the means of support through traditional pursuits such as hunting, fishing

and trapping. Indeed the Treaty No. 9 states that "His Majesty the King hereby agrees with the said Indians that they shall have the right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered...". James Bay Treaty, Pg 20)

In legal terms these rights can be termed usufructory rightsjus fructi-the right to enjoy the fruits of the land. Immediately, upon
being affirmed in one breath these rights are qualified in the next,
"saving and excepting such tracts as may be required or taken up from
time to time for settlement, mining, lumbering, trading or other purposes

Iiterally interpreted, this qualification could allow land to "taken up" to the extent that any rights that were recognized, would effectively be eliminated. surely, this could not have been the intention of the Treaty Commissioners. It was certainly not the interpretation of the signatories to the Treaty: " Missaby, the recognized chief of the band, then spoke, expressing the fears of the Indians that, if they signed the treaty, they would be compelled to reside upon the reserve to be set apart for them, and would be deprived of the fishing and hunting privileges which they now enjoy. On being informed that their fears in regard to both these matters were groundless, as their present manner of making their livelihood would in no way be interfered with," they signed the Treaty. (James Bay Treaty, Pg.5) Again, at Fort Hope the Treaty Commissioners explained to the people that "hunting and fishing, in which occupations they were not to be interfered with, should for very many years prove lucrative sources of revenue." (James Bay Treaty P6 The oral promises made at the time of the Treaty signing support the view that the qualification "saving and excepting such tracts as may be ... taken up from time" should not be construed as allowing the unlimited use of land for other purposes. If the land was to provide a lucrative source of revenue then either the right to take up land

was

a limited right, either temporally or spacially, or the Indian people have a right to compensation.

This aspect of the Treaty has a direct relevance to Land Use Planning, and land management. While the Treaty, does not exclusively reserve the right to hunt, trap and fish to the Indian people, neither does it convey to the Crown the unlimited power to abrogate that right. It follows, then, that both parties have a share in the rights to certain 'ceded' lands. The right to hunt, fish and trap within ceded lands not 'taken up' amounts to a restrictive covenant running with the ceded land. Implicit in this covenant is the notion that there be moose to hunt, fish to fish and beaver to trap. The existance of game, fish, and furbearers is dependant upon the extent to which non-Indians harvest them the extent to which a suitable habitat is maintained and not destroyed by forestry and mining. In addition, the establishment of Provincial Park or game preserves may also allow the Province to prohibit their activities. The New Post Band submits, therefore, that they have direct interest in the terms and conditions governing various land use activities Land Use Planning and Plan implementation activities may have serious consequences for the rights of the New Post People.

The designation of an area for a Waterway Park and the consequent production of a Parks Master Plan may have the effect of 'taking up land for other purposes.' This has been the effect of Provincial Park staus in other areas. It is not acceptable that the right to hunt, fish and trap over an area can be taken away by the stroke of a pen and then conditionally returned as a privilege, pending the results of the Parks Planning process.

Similarly, forestry has in the past been viewed as a temporal activity that constituted the taking up of land for the period of time during which forestry operations were actually carried out. Now, however, the forest industry is being required to shift from an approach that could be characterized as limited in time that is cut the trees

and move along to an approach that more closely resembles that of the farmer, albeit a tree farmer. No longer will forestry be seen as a short term activity. Rather, it will be an activity that continues throughout the life cycle of the crop from cutting through to the regeneration of the next crop. It is possible that land will be considered to be 'taken up' for an unlimited time period. The new system of managing the forests through Forest Management Agreements between private industry and government may have the effect of abrogating Treaty rights over vast tracts of land. Surely, this was not the intention of the Treaty. If indeed lands desingnated for Parks, Forestry and other purposes are to be considered occupied, then the New Post Reserve becomes ghettoized, present rights are conveniently turned into privileges.

Implicit, then, in the notion of a restrictive covenant is the agreement that the "taking up" of ceded lands not be such as to destroy or vitiate the right to hunt, trap and fish.

Summary

Altogether, the 1905-1906 Treaty signing expedition managed to secure for the Province some 90,000 square miles of territory in exchange for "secured" reserves of one square mile for family of five.

It seems clear from the notes of the Treaty Commissioners and from the records of the Province and the Dominion that the immanent development of "New Ontario" required urgent action to clarify the title to the land of the north. From references to promises made not to molest new comers engaged in hunting, mining, and forestry and other pursuits, it seems that both government were clearly desirous of establishing 'peace and friendship' in the face of the impending onslaught of settlement. The Treaty commissioners reported that " as we ascended the Abitibi, evidence of approaching civilization and of railway construction and surveying, which had rendered the making of the treaty necessary, were constantly met with."

(James Bay Treaty Pg. 9)

the Indian people on their side, also seemed concerned that some formal recognition of their rights be concluded before settlement proceeded further. At a meeting with Duncan Campbell Scott in 1899, Indians from the Hudson's/ James Bay area stated that "they heard that the railroads were projected through their country, and that already mining prospectors, and surveyors were beginning to pass through it [in] such largely increased numbers that the game was disturbed, interference with their means of livelihood had commenced, and their right were bing trespassed upon.

(Macrae to Sifton, June 3, 1901, Public Archives of Canada, Record Group 10 volume 3033 file 235,225-)

The New Post Indian Band received approximately \$320.00 for the cession of what Scott descrived as a "vast quantity of waste and, at present unproductive land." (James Bay Treaty Pg. 11.) A scant 5 years latter the same land was being sold by the Government of Ontario at the rate of nearly \$10,000.00 per township. " by 1900 the area immediately surrounding Cochrane had been taken up. ... Lots available to these early settlers were 150 acres in size and for the most part were well covered with merchantable timber. The land was sold at 50¢ per acre, the settlers undertaking to perform homestead duties to obtain a patent." (The Black meyer Report of multiple Land Use Planning, Ontario Dept. of land and Forests, Queen's Park, 1960, Pg. 49.)

Altogether, for the same townships which the New Post Band considers its primary traditional land area, the Government of Ontario, by its own actions established a base value of some \$300,000.00 at 1910 levels, exclude, of course, of the value of timber, mineral and water power.

Judged by the results, the James Bay Treaty can be viewed as a great success or a failure. The Nishnawbe Aski are nearly unanimous in holding the later view.

Nevertheless, the Treaty provisions regarding the establishment

of peace and friendship between the two societies has yet to be overly breached. Certainly, "the taking up of land for development" provisions of the Treaty have yielded steady dividends: "the minerals and forests of the north became an important component in the continuing economic development of the south. In particular, Toronto's growth as a financial centre, rivalling Montreal, drived from its control of northern resources ... In the North, a new community emerged, supplementary to the south and dominated by it."

(R.L. Gentilcore Ch., <u>Studies in Geography: Ontario</u>, university of Toronto Press, 1972, Pg. 44.)

New Post Band's Concerns

At the general band meeting held in Cochrane on October 15, 16 and 17 of this year, the Band membership reviewed some of the basic implicat: of the Cochrane District Land Use Plan. The context and scope of Land Use Planning in the Province and the role of the Cochrane District Land Use Plan was outlined. The land use designations, priority land uses for each designated areas and the nature of secondary instruments governing primary and secondary uses was presented.

The membership was asked to respond to a questionnaire directed at establishing a spatial expression of the band concern area. Either individually or in small groups the membership was asked to mark on a topographical map the extent of the land area considered by the individual group to be traditional hunting lands or lands considered to be of prime concern to present members. On this map, members were to mark areas of special significance such as burial grounds, hunting grounds and so on. During subsequent discussions at the band seminar, individual band members further expressed their concerns.

The Concern Area

The New Post Band has identified its area of primary concern, as roughly the area south and east from the junction of the New Post Creek and the Abitibi River, roughly bounded on the west by the Abitibi

River, and on the east by the New Post Creek/Little Abitibi River to an eastwest line some 36 miles south. The area delineated by the membership includes all of the 12 geographical townships of Pinard, Mewhinney, Mound, Avon, Bourassa, McAlpine, Homuth, Tolmie, Agassiz, Adanac, Menapia and Ireland. (See map A)

This area contains parts of 4 designated areas in the Cochrane district Land Use Plan. The greater part of the concern area falls within the area designated as the Northern Resources and commercial recreation Area: Area 10 in option one and area 8 in option two.

The two rivers roughly bounding the area are designated as the Little Abitibi/New Post Creek water way Park. (area 12 in option one and arealO in option two) and the Abitibi, Fredrickhouse, Driftwood and Onakawana Rivers (area 6 in option one and area 8 in option two.)

Finally, the Western extent of the Band's concern area, which lies on the west side of the Abitibi and on the east side in parts of Menapia and Ireland Townships, is designated as the Southern Resource Area (area 9 in option and area 7 in option 2).

AREA DESIGNATED	PRIMARY USES	2=SECONDARY USES PERMITTED WITH CONDITIONS	STATED CONDITIONS
Northern resource and Commercial Recreation Area (Option 1=area 10) (Option 2=area 8)	Mining Forestry Commercial Recreation	Mining(1)	Operating Quidelines, Licences, Penit
		Forestry(1)	Operating Plans, Quidelines for the Protection of Other Values
		Aggregate (2)	Quarry and Work Permits
		Trapping(2)	Expand to Quota (no guidelines)
		Wildlife Hunting Viewing (2)	Hobitat Management Plans for High Valu Areas & Caribou Habitat
		Roads(2)	Quidelines for Permanent Access Roads & Shoreline Reserves
		Commercial Tourism(1)	Permitted on Designated Lakes, Existing Uses Can Continue
Southern Resource Area	forestry Mining	Mining(1)	Operating Quidelines, Permits, Licence - Shoreline reserve of 122 metres (may
(Option 1= area 9) (Option 2= area 7)			
		Rural Residential(2)	According to Official Plans
		Aggregate (2)	Operating guidelines in Permits, - not permitted within 122 M of designated cottage or commercial lakes
		forestry(1)	Operating Fuidelines will be contained in approved operating Plans for the protection of other values,
		Trapping (2)	Encouraged to expand to quota levels, - no cabins on cottaging or tourism la
		Wildlife Hunting(2) Viewing,	Management Plans MAY be formulated for specific HIGH VALUE areas
		Sport Fishing(2)	Regulated through Management Plans
		Commercial Fishing (2)	licences
		Crown Land Recreation (2)	Minor access permitted along with Cottaging Plans
		Cottaging (2)	Crown Land Shoreline Cottaging encouraged on designated lakes,
		cornercial Tourism(2)	Existing Use to Continue
		Roads (2)	Resource and recreation roads will be Permitted Guidelines concerning Permanent Road Access and Shoreline Reserves

AREA DESIGNATED	PRIMARY USES	2=SECONDARY USES PERMITTED WITH CONDITIONS	SIAIFD CONDITIONS
Provincial Parks			
System	Provincial Parks	Provincel Park(1)	
(Option 1=area 12) (Option 2=area 10)		Forestry (2)	Permitted only to enhance Park values
paricular reference			
to Little Abitiki/New F WAterway Park	Post Creek	Trapping (2) Wildlife Hunting,	may continue pending Park Master Plan
		Viewing (2)	may continue pending Park Master Plan
		Crown Land Recreation (2)	no construction pending Park Master Plan
		Sport Fishing (2)	no guidelines
Abitibi,			
Frederickhouse, Driftwood,	recreation: public recreation	Mining(2)	encouraged with minimum shoreline disturbs
Onakawana River.	Cottaging	7. 7.	operating guidelines will be reflected in
Area defined as 125 M on each	ormercial tourism	Aggregate(2)	permits and licences Permitted where need can be demonstrated no guidelines
side of high water	Hydro Electric Generati		Domitted Counting plans vill contain
mark		Forestry(2)	Permitted, Operating plans will contain guidelines for protection of other values
Option 1= area 6 Option 2= area 8		Trapping(2)	Provinged to expand to quota levels
		Wildlife Hunting Viewing (2)	no quidelines
		Sport Fishing(2)	no guidelines
		Commercial Fishing(2)	present use may continue, new licences wil be subject to resource capacity
		Crown Land Recreation (1)	will promate canceing
		Cottaging(1)	cottaging will be permitted on Abitibi
			River from Gardiner to Island Falls and on frederickhouse from south boundary to Abitibi (40 units) subject to a Recreation plan:
		Commercial Tourism(1)	encuaged between Island Falls and Otter Rapids
		Roads: Resource Recreation (2)	can approach rivers where a need can be demonstrated
	NO MENITON OF H	MIRO ELECIRIC PLANS	NO CUIDELINES

1=PRIMARY

		1=PRIMARY 2=SECONDARY	
AREA DESIGNATED	PRIMARY USES	USES PERMITIED WITH CONDITIONS	SIAIED CONDITIONS
Middle Detour Lake Corridor area Option 1 = area 3 Option 2	recreation cottaging	mining (2)	-operating guidelines will be in licences and permits - may be permitted along shoreline
		aggregate(2)	encouraged, no guidelines, may be permi along shoreline.
		Forestry (2)	approved operating plans will combine specific guidelines for protection of he valve areas (moose winter areas will be subject to modified outting practise)
		Trapping (2)	expand to quota level no cabins on certain lakes
		wildlife hunting and Viewing (1)	maragement plars <u>may</u> be formulated for value areas.
		Sport Fishing (1)	managed by reviews of development propo
		Comercial Fishing (2)	regulated through licences
		Crown Land Recreation(1)	public access will be constructed along Detour Lake highway.
		Cottaging	remote and submission cottages will be encouraged on lakes with approved opera plans. not permitted on other lakes.
		Commercial tourism	encuraged on designated lakes.
		Roads	existing guidelines
Great Claybelt Agricultural areas. Option 1 = area 5 Option 2	agriculture	urban (2)	municipal planning controls
		rural residential(2)	only in association with farming
		agricultural (1)	land cleared crown land will be made ava
		mining (2)	encouraged with operating guidelines in linearces
		aggregate (2)	encouraged municipal planning controls, minimum disruption of agricultural land
		Forestry (2)	encouraged, operating plans will contain guidelines for protection of other value
		Trapping (2)	expand to quota, no cabins on crown land
		Wildlife hunting Viewing (2)	habitable management plans for high valuareas.

AREA DESIGNATED

PRIMARY USES

1=PRIMARY 2-SECONDARY USES PERMITTED

WITH CONDITIONS

STATED CONDITIONS

(Continued)

Sport fishing (2)

development will be reviewed to protect

fishing.

commercial fishing(2) managed through licensing

Cottaging (2)

lake and river plans

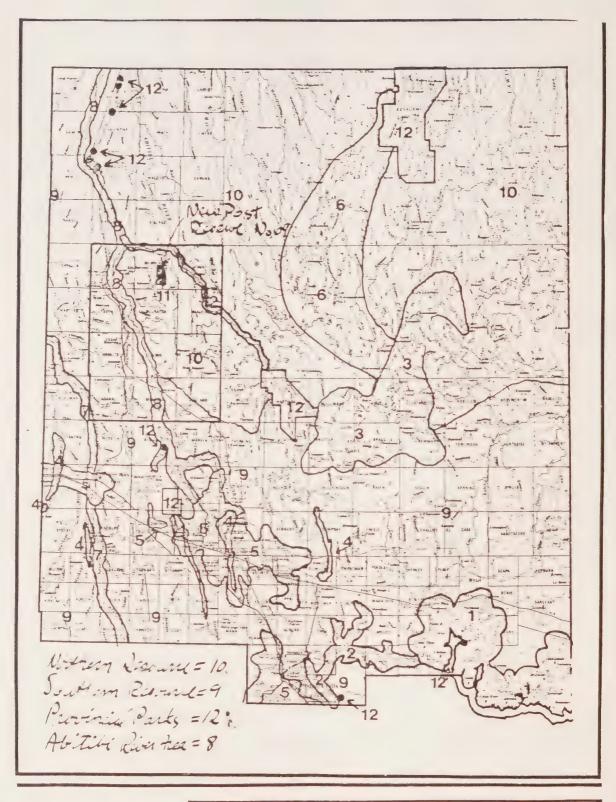
commercial Tourism

permitted on Crown land as long as their

is no impact on farms.

Roads

Should locate along property boundaries.



DISTRICT DE COCHRANE DISTRICT

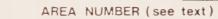


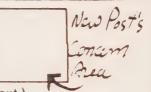
More to Million Million to Knowness

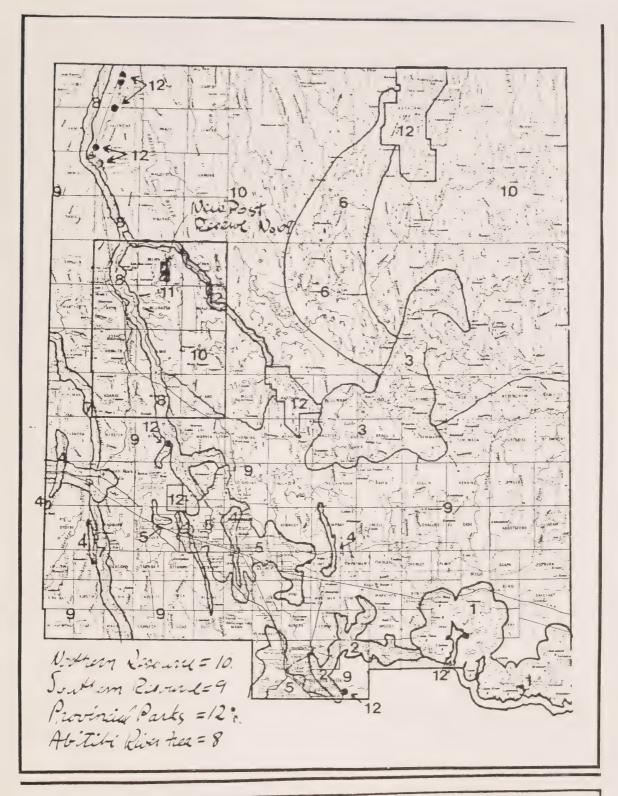
OPTION 1



AREA BOUNDARY

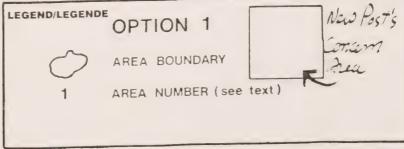






DISTRICT DE COCHRANE DISTRICT

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Traditional Land Use Area Concerns

The New Post Band is specifically concerned with the future use of land with in the traditional New Post Land area. From statements and discussions at the General Band seminar and on subsequent accasions, specific concerns have been identified regarding the conservation and development of the natural resources reserved under the provisions of the Treaty.

The plan states that trapping will be encouraged to expand to quota levels in each of the three designated areas of concern to the Band. Within the proposed New Post Creek/Little Abitibi Park area, trapping will be allowed to continue pending the completion of a parks Master Plan.

The New Post Band is in favour of sound management Practices that preserve a healthy self sastaining beaver population. Members of the Band have expressed concern that survey techniques used to ascertain beaver populations may be in error by a sufficient margin to have a negative effect on the stocks through the establishment of artificially high quotas. Some Band members believe that on occasion dead beaver houses have been counted as live houses by aerial surveyors. Aerial surveying maybe appropriate for the establishment of population estimates over large area but it is felt that for smaller areas such as the Traditional New Post Trapping Area, greater accuracy is required. Traditi conservation methods, they may fall short of the established quota and that their continuing possession a licence to trap that area maybe jeopardized.

New Post members are also concerned that outsiders, particularly status Indian trappers from Quebec have been brought in to the area to trap on New Post's traditional grounds. In one incident, outsiders went trapping within the boundaries of the reserve itself. The Band believes that the Ministry of Natural Resources has actively encouraged the importation of outside trappers into the area.

The New Post Band is concerned that traplines within their traditional land area be preserved for the use and benefit of future New Post trappers. The elders want their grandchildren and future descedants to be able to trap the traditinal lands in years to come. The Band has noted that traplines have on accasion been bought and sold as a commodity to the deteriment of the collective rights of the Band. Therefore, the New Post Band recommends that all present and future use of the traditional land area be reserved for New Post members and that the use of the area by outsiders either Inian or Non-Indians be subject to the prior right of the New Post Band.

The Band has noted that the population of beaver within any area is related to population throughout a much larger watershed area. There are annual movements of beaver into and out of areas due to population pressure, habitat and other environmental factors. Therefore, the Band feels that disruptions to the environment in one area may affect beaver stocks in another area. The Band is concerned that the management ..of land for the primary benefit of the forest industry both within and outside of the traditional New Post area may have negative impacts on fur bearing species and other wildlife within the traditional area. Cutting practises and regeneration practices which lead to the supression of certain species are of particular concern. While the plan states that forest practice will be governed by Approved Operating Plans which will contain specific guidelines for the protection of other values, the lack of any published examples of such specific guidelines is not reassuring. While the plan does make reference to the need for the maintainance of significant fish and wildlife populations, and adopts a strategy for protecting and managing fur-bearer habitat, it fails to indicate how the requirements of animal species maintainance will be reconciled with the requirements of the forest industry.

The Strategic Land Use Plan for Northeastern Ontario has stated, that, as a general guide, forest reserves may be established up to 120

metres around the shores of larger lakes (40 hectarent) and 30 metres of trout stream which double as wildlife cover. There is no indication that reserves will be required for smaller lakes, beaver ponds or stream which do not contain trout. There is no indication in the plan as to how these minimal reservations will be enforced.

Though, the New Post Band is aware that populatons of large game species, paricularly moose, are not spatially static and that animals will move over large areas in response to natural and man made foctors, the Band, nevertheless, feels that special policies and practices should be developed for moose management within their traditional land area. The Band supports the statement in the Northeastern Ontario Strategic Plan that "there can be no appreciable loss of hunting area or habitat such as concentration areas, aquatic feeding site, and mineral licks are particularly important to maintaining high moose densities. These special habitats and to a general degree all moose range, will have to be protected and managed more vigourously than currently practiced."

(N.E.W. S.L.U.P. Pg. 35)

The Cochrane Plan suggests that a reduction in the number of hunters and active habitat mangement may be required to increse moose populations. The New Post Band accepts this statement and believes that mosse hunting within its traditional land area should be restricted to the members of the New Post Band. Non-Indians hunting within this traditional area should be limited to those authorized by the New Post Band and accompanie by a status Indian guide also authorized by the New Post Band. Thus, the number and the compostion of the harvest within the traditional area could be closely controlled while at fee game time ensuring a measure of economic benefit would agree to the Band.

Within the area described by New Post Band as their traditional land area, cottaging is not proposed for that postion which falls within the Northern Resource and Commercial Recreation Area and within the Little Abitibi/New Post Creek area. The Band is in agreement with this

policy. However, in that portion that falls within the Southern Resource area, inland remote cottaging is permitted in the townships of Pinard, Avon, Homuth, Adanar and Menapia. In addition, the Abitibi, Frederick, Driftwood, and Onakwana River Area will permit the development of up to 40 remote cottages - particularly between Gardiner and Island Falls. The New Post Band feels that cottage development is incompatible with the use of lands for traditional activities. There is a particular concern that hunting in parts of Menapia Twp. will be negatively influenced.

The Band is also concerned that commercial tourism policies will encourage the development of "outpost camps, lodges, marinas and youth camps," along the Abitibi River in the townships of Pinard, Avon, Bouransa and Tolmie. It is felt that this type of development is not consistant with the safeguarding of the Band's traditional right to hunt, trap and fish troughout this area. Similarly, plicies for the Northern Resource and commercial Tourism should dicourage tourist—oriented development in the area between New Post Creek/Little Abitibi River and the Abitibi River. If any exploitation of the areas tourist potential is to take place it must be at the option of the New Post Band.

The New Post Band has a great concern that the proposed Little

Abitibi/New Post Creek Waterway Park will have a negative effect on the

Band's right to hunt, trap and fish. It is agreed that no further commercial

development take place within that area. While the Band is not opposed

to the protection of the Natural environment implicit in Provincial

Park Status, it connot stress too strongly that it is very much opposed

to the "taking up of land for other purposes" that Parks Status carries

with it. The Band does not wish to see its traditional rights in this

area deminished.

Finally, the New Post Band must register its concern that the future Hydro electric potential mentioned in the back ground document coupled with the failure of the explicitly the Cochrane district Land Use Plan to deal with the problems and conflicts inherent in Hydro electric

development. the Northeastern Ontario Strategic Land Use Plan state that "the six most feasible undeveloped sites of hydroelectric potential within the planning Region could provide an additional 355 megawatts of average energy output. These sites exist on the Abitibi, Mattagami, Mineasagi and Moose Rivers." (N.E. S.L.U.P. Pg. 14)

Certainly, the Cochrane District Plan should deal with developments of that magnitude in a forthright manner and whereever "interim uses on lands and waters with significant energy potential which would not preclude their future use for energy production" have been encouraged, the Plan should say as much. The Northeastern Ontario Strategic Use Plan clearly implies that Socio-economic and environmental concerns of a local nature will not be allowed to stand in the way of Hydro electric development: "it should not expect that their desires will always be fully met. In some cases it may be necessary to give priority to national or provincial concerns. An example may be energy requirements."(N.E. S.L These are ominous words for the New Post Band since they, alone among other bands in the Treaty 9 area, have for the past 60 or so years alread experienced the effects of placing national and provincial priority on "water power development".

General concerns With the Land Use Plan

The Ministry of Natural Resources has adopted a top-down rather than bottom-up approach to planning. The approach can be characterized as the systematic reduction of general concepts and broad goals into specific, measurable targets. "Planning decisions will be made through a hierarchy of planning areas where broad decisions are made before detailed decisions... Through this process, regionally significant prior to the initiation of more detailed district plans." (N.E. S.L.U.P Therefore district planning process involves a closer examination of resource to see if the district's share of a pre-set target can be achieved. If there is a mismatch between the expectations of the target and the ability of the land base to accommodate the target, then

either 1) revision must be made to the target, or 2) adjustments must be made to the district allocations of land to competing uses.

A bottom-up approach, on the other hand, could be characterized as successive integration of plans built up from detailed capability information at the local level. "There are two approaches to land-use planning of broad areas. Firstly, a "mass action" approach may be organized. ... This approach will present, in very general terms, the present land use patterns of the broad area surveyed. It will also indicate broad policies of recommended land use. However, because of detailed informaion on basic ecology and land use practices, the fundings of this type of survey will have little or no application in the planning of land use and in the administration and management of land at the local level. Furthermore, the fundamental, research which underlies this type of survey will be inadequate because the significance of the interrelationships of factors within the local patterns cannot be adequately considered. ... Secondly, there is an approach which begins with the establishment of local reference areas... On these, a detailed study is made of the relationships of the total complex of factors which bear upon the problem of proper land use." (G.A. Hills, the Glackmeyer Report of Multiple Land Use Planning, Ontario Dept. of Lands and Forests, 1960 Pg. 41)

The danger in the first approach, or the top down approach is that targets will not be revised when a discrepancy exists between capacity and demand. It can be expected that a hierarchird, top down flow of policies, objectives and targets carries with it a certain amount of force or inertia which may not be easily countered. Consequently, the targets for a particular land use will be made to fit within the land base of the district. One way to expand the effective land base is to permit more than one activity to take place on the same area - multiple land use. A multiple land use strategy depend for its success on the several land uses being compatible: "it is necessary to understand the

Concept of conflict regarding the uses required to meet the objectives.

Uses that are in conflict are those that must be separated spatially.

Hence, if one use is permitted the other cannot occur and a trade-off must be made. Some conflicts are absolute or total and others are partial. Wilderness preservation and forest operations are in total conflict whereas cottage use and forest operations could be in partial conflict."

(Draft, Class Environmental Assessment for Land Use Planning Process of the Ontario Ministry of Natural Resources, April, 1978 P.12)

In the Cochrane District Land Use Plan, the area designated as the Abitibi, Fredrickhose, Driftwood and Onakwana Rivers Area is modestly define as including 125 metres on "each side". The area is described briefly: "generally the river banks in this area are steep and composed of relatively unstable soils such as clay." Certainly, it would seem from this description that erosion in this area would warrant special measures over and above a more 125 metres restruation. Certainly, a long history of river Basin planning by the Conservation Authorities under the aegis of the Ministry of Natural Resources would argue for stricter measures.

The multiple Use strategy as evidenced in the Cochrane Plan the following uses are among those permitted in this area which has recreation as its primary use: Mining, Aggregate Extraction, Forestry, Agriculture, Cottaging, Commercial Tourism, and Roads. If all of this is permitted to take place within 125 metres of the shoreline, of a sensitive area then where is the separation of uses required by a successful multiple use strategy? Acceptance of multiple use strategy depends on either a clear spatial separation of incompatible uses with sufficeent buffering between uses or on a clear and precise defination of the conditions governing the performance of various users in order that potentially incompatible uses can be made to take place together without predjudice to each other. In the absence of either separation or clear performance criteria it must be assumed that certain uses will be dominant uses.

Forestry and aggregate extraction and intrinsically dominant that more passive land uses will remain viable if these uses are permitted.

The Cochrane District Land Use Plan, however, postpones the debate and asks the public to accept a matter of faith that uses will be compatible in the future. The plan does not specify the policy, criteria, or guidelines which will govern the performance of dominant use. For stead, the plan alludes to future planning and administrative activities. Such phases as (mining) "operating guidelines will be reflected in licences and permits", (forestry) "operating plans will contain specific guidelines for the protection of other resource and recreation values," and (roads) "will be permitted to approach the rivers where a need can be demonstrated", are examples of the generalities the plan has to offer.

It is evident that the Cochrane District Land Use Plan is avoiding any real debate on the compatability of land uses. This is consistant with previous Ministry thinking: "the planning excercise itself has only a minimal impact. It is the implementation of the plan... that [has] appreciable impacts. The impacts resulting from the land management activities such as forest management, cottaging, Provincial Parks and Various forms of Crown Land recreation are analysed in the environmental assessments prepared specifically for them. ... From the perspective of a land use plan, then, the effort to minimize undesireable impacts comes in designating areas". (Draft Class E.A. for land use Planning 1978, Pg. 59). It would appear that the planning process is not meant to be a forum for the resolution of land use conflicts. It would appear that the existance of an Environmental Assessment Process is being used as an excuse for the postponement of debate until a stage is reached at which previous planning decisions rule out any possibility of meaningful change. It would appear that the virtued of the comprehensive overview that regional and district planning as to offer is to be squandered by the reduction of the debate to a spatially restricted

examination of specific projects and undertakings.

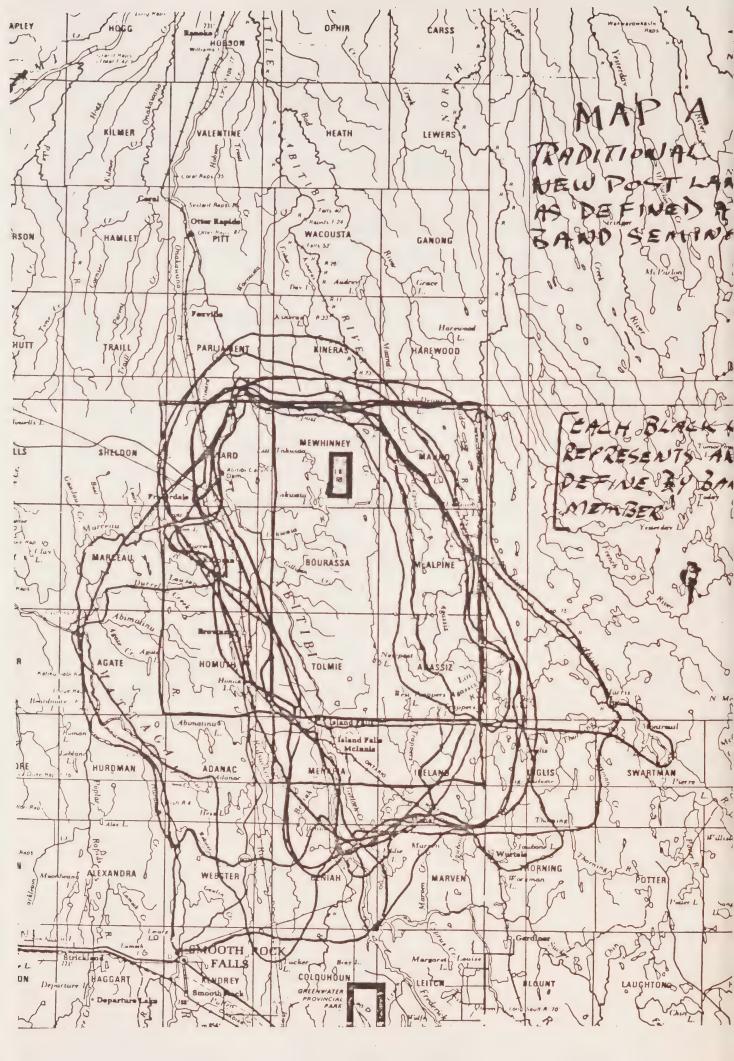
The New Post Band is not convinced that its fundemental rights to enjoy the natural resources of its traditional land area are sufficiently protected by the present planning process.

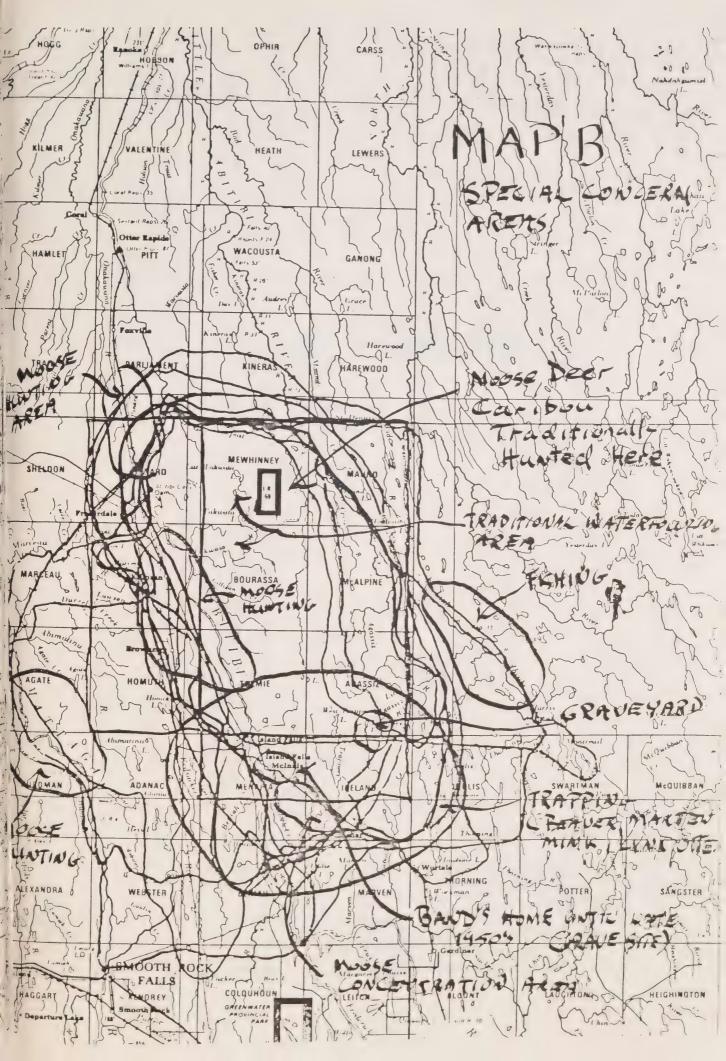
Recommendations of the New Post Band

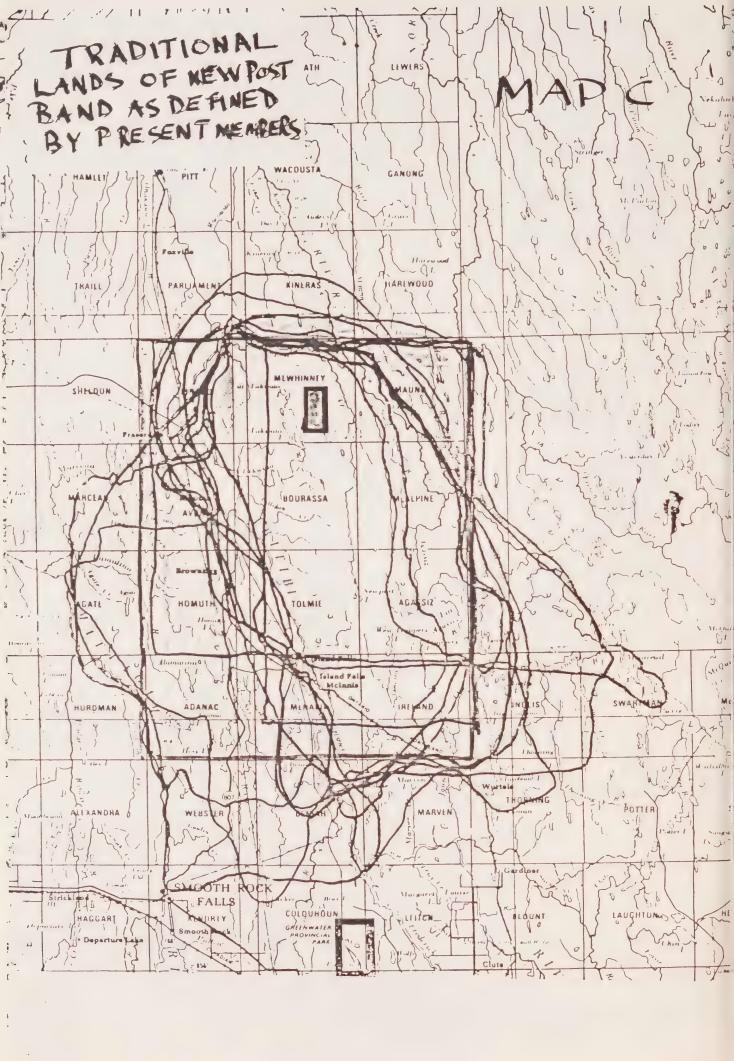
The New Post Band wishes to make the following recommendations to the Royal Commission on the Northern Environment:

- 2) The cochrane Land Use Plan should be amended so as to affirm the existance of a <u>special area</u> where in traditional land use activities, specifically hunting, fishing and trapping are considered the primary land uses.
- 3) This special area should be considered as a secondary planning area which could be called a traditional land use area.
- 4) Subject to specific discussions, the traditional land use area should be delineated as all of the Townships of Pinard, McWhinney, Maund, Avon, Borassa, McAlpine, Homuth, Tolmie, Agassiz, Adanac, Menapia, and Ireland and parts of the Townships of Parliament, Kineras, Harewood, Marrear, Agate, Hardman, Lobster and Geniah, Marvin, Thoining, Inglis. the traditional land use area identified by the New Post Band is shown on the accompanying map.
- 5) A secondary a traditional land use plan should be produced for this area and special policies, objectives, guidelines and criteria be drawn up.
- 1) The rights of the New Post people to use and enjoy certain natural resources includes the right to ensure that the environment is managed, for the benefit of those resources and the right to ensure that traditional lands are not taken up for other purposes.
- 6) For the purposes of preparing, implementing monitoring and amending the proposed traditional Land Use Area plan, a joint planning and development board be formulated with representation composed of the Chief and Council of the New Post Band and the M.N.R.

- 7) This joint planning board would be responselbe for reviewing all licences, permits, management plans, operating plans and any other proposals, propositions a schemes within the traditional land use area.
- 8) The joint planning board should appoint an Indian Conservation/
 Development control officer to monitor the activities of both traditional and non-traditional resources users within the traditional land use area to ensure conformance witht the intent of the plan.
- 9) The boundaries of theland use areas designated in the Cochrane land use plan must be amended to accommadate the traditional land use area.
- 10) Within the traditional land use area, a moratorium must be placed on the signing of agreements, granting of permits, issuing of licences and other such activities pending the formulation of a joint planning board for the area.
- 11) Such guidelines, criteria and restrictions as are now applicable to land use activities within the area must be considered interim pending the development of specific statements for the traditional land use area.
- 12) Whereas it has been stated by the membership of the New Post
 Band that while the Band wishes to preserve traditional values and
 rights to certain natural resources, it is also the goal of the Band
 that present and future generations more fully participate in the
 general economy, therefore it is recommended that an economic development
 strategy be developed to enhance the economic participation of the New
 Post people and other Indian people in the Cochrane area.







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WOMEN AND DECISION MAKING IN NORTHWESTERN ONTARIO

A SUBMISSION TO THE ROYAL COMMISSION OF THE NORTHERN ENVIRONMENT

SUBMITTED BY THE

ECONOMIC DEVELOPMENT SUB COMMITTEE

OF THE

NORTHWESTERN ONTARIO INTERNATIONAL

WOMEN'S DECADE COUNCIL

RECOMMENDATIONS:

- 1. THAT the terms of reference and/or definition of economic development incorporate long-range planning and monitoring of industrial growth, local job creation, and quality of life considerations. Compatible with the philosophy of community based economic development, emphasis be placed on ensuring local control of decisions which effect the community.
- 2. THAT by-laws of Economic Development Committees be designed to ensure appointments be selected from all sectors of the community; including homemakers, volunteer organizations, unions, corporations, small-medium business, governments, educators, etc. THAT these appointments be reflective of the gender distribution of the adult community population.
- 3. THAT the provincial government enact legislation and funding mechanisms to ensure social, economic and environmental impact assessments are completed prior to implementation. These assessments must reflect the various segments of the population.
- 4. THAT the provincial government adopt, as standard practice, the concept of contract compliance (relating to women's employment) when participating in economic development planning and funding (capital, infrastructure, etc.)
- THAT corporations and educational institutions and government collaborate to implement strategies for increased female participation in "non-traditional" employment. Special emphasis (as identified by the National Training Act) should be devoted to skilled trades and technology fields, as well as management.

RECOMMENDATIONS (continued)

- 6. THAT corporations disburse their "community service" funds for local women's groups.
- 7. THAT publicly funded child care be available to political candidates.
- 8. THAT provincial tax credits be allowed for contributions to municipal (local) candidates.

INTRODUCTION

The Women and Economic Development Sub Committee of the Northwestern Ontario Women's Decade Council is pleased to present this brief to the Royal Commission of the Northern Environment's 1982 hearings.

A bit of the background on the organization would be helpful before proceeding with the brief. The Decade Council was established in International Women's Year, 1975. It is a volunteer based organization composed of members of district women's groups as well as individuals. Its main goals are to improve the quality of life of women in Northwestern Ontario in all spheres....economic, social and political. Some of the issues that the Decade Council has focused on are: women and work, women and pensions, violence against women, family property law and women and economic development.

The Economic Development Sub Committee has been active since 1978. It produced a study on The Status of Women in the Labour Force in Northwestern Ontario, Women's Work: The Northwestern Ontario Case. The study focuses on women's present position in the labour force and makes recommendations to access women's full integration into the regional economic base. The sub committee has conducted many workshops on Women and Economic Development both in Northwestern and Northeastern Ontario. At all times the sub committee focuses its attention to the concepts of economic development.

However when one hears the words economic development, what are we discussing? Does it mean industrial expansion? Does it mean job creation and economic growth?

The Economic Sub Committee refer to economic development in a total sense.....this includes reasonable industrial expansion, job creation and economic growth along with quality of life considerations. We refer to adequate and affordable housing, recreation and cultural facilities, traditional as well as alternate educational systems, health care facilities and a full range of support systems. Other necessary considerations

include accessible twenty four (24) hour child care and convenient public transportation.

The Economic Sub Committee is especially concerned about economic development decision making that excludes 51% of the population...women. In Northwestern Ontario women are marginal to any decision making... political and/or economic, even though we are 41% of the labour force and 51% of the population.

The economic development of our society whether planned or unplanned, affects the lives of all of us. The quality of our day to day living, the framework into which we have to fit our decisions about our present and our future, depends upon the economy of the area in which we live. For most of us the notion of democracy presupposes that we have at least some degree of control over the way our region or area develops. Both sexes are equally affected and few of us would deny that both sexes should have equal input to the decision making process. And yet, in this region, this is simply not how the system works. Women are marginal to the whole economic development process. They are not involved in making the decisions which so closely shape their whole lives. 1

The following is a brief about the amount of women and the right of women to participate in the decision making and evaluations of economic development in this region.

Caner, Eileen, from a speech given in Terrace, B.C., September 1975.

THE STATUS OF WOMEN IN THE POLITICAL BUREAUCRACY

ECONOMIC/POLITICAL ANALYSIS

The Province of Ontario, in recent years, has recognized that there are special needs and concerns in Northern Ontario; whereas, there are problems, the provincial government is content to perceive the region as "developed". This could initially be supported if income levels, productivity, educational levels, and perhaps urbanization (this complementary availability and accessibility to social services) were the primary indicators.

Social scientists, political scientists, economists, and residents have simultaneously been monitoring the reality of "northern" living, specific to this region as well as to northern British Columbia, Manitoba and Alberta, and they have offered an alternate definition. Melvin Watkins proclaims that the institutional processes of surplus extraction effectively creates:

"The blockage of potentials leading to sustained economic and social development, geared to local human needs."

(Dr. M. Watkins, U of T Presentation: A Comparison of Northeast Ontario Economy with that of Third World Countries.)

Essentially, this process involves the abnormal profits generated by primary (resource) extraction being diverted out of the region, rather than being held by the region to create continuing and sustained economic development, under local control to serve local needs and purposes as defined by the residents.

Within this context, Northwestern Ontario must be recognized as "under-developed"; we are caught in the exportation of our resources base, with virtually no processing, outside ownership and control, negligible diversification as translated by a secondary manufacturing base, environmental degredation, and increasingly high capital intensity such that expansion does not promote increases in employment. We will not pursue

in the examination of the effect of non-regional controlled banking/ financial system has - only reiterate that sustained economic growth necessitates the presence of local linkage between capital markets and entrepreneurship.

The analogy of Northern Ontario and Southern Ontario as a hinterlandmetropolis relationship gains substantial legitimacy and increasing significance, as it relates to every aspect of northern reality.

Traditionally, forestry and mining products have ranked second and third after auto-industry products in provincial export runnings. One might presume that given this importance the government would be accutely sensitive and responsive to the needs and wants of extraction-base communities and residents.

Unfortunately, the surplus generated within our region (hinterland) is drained to the metropolis where the jobs are created: in processing, in distribution, in banking, in retail, in transportation, and in the regulatory agencies - civil service, in the health-care field, in education, in entertainment, and the entire array of social services and amenities which have become expected in "developed" economies. Effectively, our resources, as translated into their surplus, are used to create jobs which far exceed the actual jobs created at source.

Serious implications errupt, in terms of the region as a whole having the voice required to input into existing political channels. The two primary means of demonstrating dissatisfaction and effecting change, as prescribed by political scientists and political practitioners, are for all intensive purposes inoperative within the region.

The proclaimed power of the vote becomes inconsequential. Northern Ontario's population, and thus representation in the assembly, is minimal compared to southern Ontario. Subsequently, the accessibility of our representatives holding cabinet positions is severely restricted. It is ironic that our resources are used to effectively swing the balance of power to a removed benefactor.

Pressure groups become the second option to effect change. Again there are extenuating conditions which limit resident ability to initiate and activate. A pre-requisite to pressure group(s) is the sharing of information and organizing, which is greatly restricted due to geography, climate, transportation delays and excessive costs. Also, residents must work in conjunction with other groups, usually not regionally based, to have government respond.

Observation has identified one voice to which government is highly sensitive, and which impacts regional economics, social welfare, and quality of life. This voice is consistent with the hinterland-metropolis scenario and the governments admission that economic expansion is foremost. That voice is the "corporations"!

ECONOMIC DEVELOPMENT: DEFINITION

The tradional definition of "economic development" as has been applied to Northwestern Ontario by political forces is inadequate, inappropriate and unacceptable. Development cannot be deemed synonomous with expansionist policies. Political practitioners must recognize that development exceeds capital-output ratios, technological innovations, and the surplus profit mentality. Terms of reference for development must incorporate quality of life issues with the goals and objectives of those immediately effected, and those who live by the decisions.

Thus, for true development to be effective, and responsive to the residents, the planning and decision processes must occur in concert with all sectors of the society. To date, economic development as defined by traditionalists has been the domain of technical and professional experts who have been primarily interested in the means and not the end. Community consultation has been literally ignored, and the solicitation of input from all/any sectors, other than the corporate, minimal.

WOMEN'S REALITY DUE TO TRADITIONAL ECONOMIC DEVELOPMENT DEFINITIONS

The typical single-industry community is designed with one objective - productivity! Any considerations included in town planning and amenities

are geared to ensuring that the workers are functional. Due to ascribed roles, women in these communities are not considered primary workers. There remains a conspicuous lack of concern for the wives and families of the male primary workforce. Discussions with women echo the absence of available social, educational, recreational, cultural, and employment opportunities and services which are expected elsewhere, indeed considered a social right.

Women bear the brunt of a sub-standard quality of life; forced to bridge the gap between needed and available social services, often without internal support systems such as families (parents, brothers and sisters) and friends. Following is a condensed list of recurring problems faced by women specifically:

- -lack of adequate medical, dental professionals and specialists
- -lack of preventative care professionals
- -lack of quality housing
- -lack of child-care facilities
- -lack of recreational facilities and choice
- -lack of any/adequate public transportation
- -lack of employment opportunities
- -lack of educational options (extent and choice).

These women suffer the ramifications of isolation, boredom, frustration and loneliness. Social problems become more accute and exagerated: alcoholism, drug dependency, mental illness, depression, suicides, family violence and juvenile delinquency culminate into a community which is unhealthy due to neglect.

As the following pages will depict, women are divorced from the mainstream of the community decision-making channels, as well as from the corporate structures. Of immediate interest, is the status of women within the political system. Much has been written on the experience of women as they differ from those of men, not only in the context of small communities, but also in the context of business and political spheres.

THE BUREAUCRACY

It is common knowledge that the pure political realm and the bureaucracy work in collaboration to impact the lives of their constituents. Whereas, they are highly inter-related, the two are quite distinct entities.

Bureaucracies are mandated with the translation of policy decisions into administrative structures and programs. Additional recognition is that bureaucracies by virtue of consistency, knowledge and expertise, play a determining role in the development and establishment of priorities and strategies adopted by the decision-makers and ultimately cabinet.

Women's status within the political bureaucracy becomes increasingly significant. It is not our intent to state that women's employment share (proportional to population) would automatically predict drastically different priorities and strategies, but neither is it our intent to accept that their exclusion does not alter the focus of priorities, the determination of strategies from a women's perspective being applied to policy and program formulation and implementation.

Responsibility and accountability has typically been recognized by payroll schedules. There is a direct and positive correlation between importance and pay. As an introduction and overview to the status of women in the Ontario Public Service, the following is presented.

SERVICE-WIDE SALARY DISTRIBUTION BY SEX March 31, 1981

	MEN	ı	WOME	.N				% OF T IN RAN	
SALARY RANGE	#	%	#	%	1981	1980	1979	1978	1977
der \$ 9,000 9,000 - \$10,999 1,000 - \$12,999 3,000 - \$14,999 5,000 - \$16,999 7,000 - \$18,999 9,000 - \$20,999 1,000 - \$22,999 3,000 - \$24,999 5,000 - \$26,999 7,000 - \$28,999 9,000 - \$31,999	15 179 909 3,132 4,965 5,464 6,008 4,524 5,384 2,266 1,597 1,990	0.0 0.4 2.2 7.7 12.1 13.4 14.7 11.1 13.2 5.5 3.9 4.9	116 727 6,272 8,668 5,067 2,000 1,704 1,469 1,020 454 299 301	0.4 2.5 21.9 30.3 17.7 7.0 6.0 5.1 3.6 1.6 1.0	88.5 80.2 87.3 73.5 50.5 26.8 22.1 24.5 15.9 16.7 15.8	56.5 85.4 73.4 49.1 22.7 27.3 30.8 15.3 16.5 15.7 13.7	78.6 86.4 61.7 33.3 22.1 28.9 13.7 16.2 12.7 13.3 9.2 8.4	83.4 86.7 54.9 21.9 22.5 18.6 18.4 16.3 11.9 8.8 10.0 7.3	85.9 77.1 49.2 25.7 24.2 12.5 14.0 12.3 8.0 11.1 7.8 6.0
Sub-Total	36,433	89.1	28,097	98.2	43.5	42.4	41.0	40.1	39.4
2,000 - \$34,999 5,000 - \$37,999 8,000 - \$40,999 1,000 - \$43,999 4,000 - \$46,999 7,000 - \$49,999 0,000 - \$52,999 3,000 - \$55,999 6,000 - \$58,999 9,000 and over	1,312 1,098 727 412 319 123 251 125 42 39	3.2 2.7 1.8 1.0 0.8 0.3 0.6 0.3 0.1 0.1	167 121 71 49 48 12 27 8 1 4	0.6 0.4 0.2 0.2 0.2 0.0 0.1 0.0 0.0	11.3 9.9 8.9 10.6 13.1 8.9 9.7 6.0 2.3 9.3	* * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *
RVICE-WIDE TOTAL	4,440		28,605			40.8	39.9	39.2	38.8

^{*}Prior to 1980/81 information was not collected according to these ranges.

In capsule 72.8% of the total number of women in the Ontario Public Service receive salaries less than \$17,000 - compared to 23.4% total men in the civil service. There is almost a reversal - between \$17,000 - \$31,999 salary range men constituted 65.7% whereas women made up 25.4%. If women did not represent a sizeable percentage of the public service this may not be considered as significant. But, women's percentage of total public service employees as of 1981 was 42.2%.

This implies that women are under-represented in several or perhaps numerous occupational modules - which, as will be noted, ultimately restricts their status to the traditional 'female' occupations and precludes their imput into policy translation and implementation.

To emphasis the extent to which women are under-represented, various Occupational Groups (as defined by the Public Service) will be stated with corresponding percentages of women as a total. Also, attempts have been made to indicate 'groups' which are heavily used within those ministries of particular importance to Northwestern Ontario.

OCCUPATIONAL GROUPS IN WHICH WOMEN ARE UNDER-REPRESENTED Females less than 30% (March 31, 1981)

OCCUPATION	MEN #	WOMEN #	WOMEN % 1981
Administration			
Financial Administration Institutional Management Social Program Administration Systems Services	569 218 328 206	57 15 121 38	9.1 6.4 27.0 15.6
Operational Skills and Trades	876	1	0.1
Professional	170	F	4.1
Agriculture Architecture Foonmics/Stats Education Engineering/Surveying General Scientific Resource Planning/Management	118 36 249 118 948 75 346	5 1 79 16 19 8 20	2.7 24.1 11.9 2.0 9.6 5.5
Technical Module Engineering/Survey Support Resource, Technical	526 504	2 2	0.4
Administrative Services General Administration Financial Administration	667 483	118 95	15.0 16.4
Scientific/Professional Educational General Scientific Resources, Planning/Management	133 249 385	31 52 30	18.9 17.3 7.2
Technical Services Engineering & Survey Support Manpower Training Resources Support	1,628 159 1,850	53 13 45	3.2 7.6 2.4

Given that women are under-represented, and that is only by the standards set by the Women's Crown Employees Office and Management Board which is any classification with less than 30% female representation, the question as to where they are is clear!

OCCUPATIONAL DISTRIBUTION BY SEX (MARCH 31, 1981) Ministry General

OCCUPATIONAL MODULE CATEGORY	MEN #	WOMEN #	WOMEN AS % OF TOTAL (1981)
Administrative Module	3550	1142	24.3
Clerical Module	108	390	78.3 *
Executive Comp. Plan.	562	38	6.3
Operational Module	1790	307	14.6
Professional Module	2815	642	18.6
Technical Module	1126	30	2.6
Administrative Services	4221	1326	23.9
Clerical Services	2082	8072	79.5 *
General Operational Svcs.	2633	1838	41.1
Maintenance Services	6194	235	3.7
Office Services	313	6818	95.6 *
Scientific/Technical Svcs.	1863	2523	57.5

As can be seen, women throughout the provincial public service are highly concentrated in defined traditional employment categories, whereas men are more evenly distributed amongst modules and categories - and enjoy status in positions of operational, technical, professional and executive functions.

Within the higher echelons of the public service women's representation is as follows.

EXECUTIVE COMPENSATION PLAN BY LEVEL AND SEX (APRIL 1981) inc. Deputy Minister

LEVEL	MALE	FEMALE	WOMEN AS % ECP
ECP 5 ECP 4 ECP 3 ECP 2 ECP 1 SCP 1 DM	50 74 155 129 107 63 30	2 3 8 11 11 4 2	3.8 3.9 4.9 7.9 9.3 6.0 6.3
LATOT	602	41	6.3

Corresponding data as to the numbers and positions of women within the district/regional offices was not to be found. However, there is no reason to believe that the trends and positions would be any different from those of the provincial public service profile; there may be cause to believe that women's employment status is even more restricted at the regional level.

Organizational charts have typically been a prime indicator of the WHO'S WHO within any/all institutions and structures. While recognizing the importance of such charts the committee proceeded in attempting to access copies of specific ministerial hierarchies. As an observation only, the following was useful: (as of 1980/81 data)

- a) Ministry of Transportation and Communication we were referred to the Deputy Minister's office due to uncertainty as to whom such information was to be released, (telephone) Annual Report and organizational chart.
- b) Community and Social Services inquiry and request was not forthcoming (telephone conversation and left contact address for Annual Report and organizational chart).
- c) Industry and Tourism Annual Report readily available but it did not include organizational chart.
- d) Industry and Trade Development Corporations Annual Report readily available.
- e) Ministry of Environment Both readily available.
- f) Ministry of Culture and Recreation due to ministerial reorganization, information found elsewhere.
- g) Ministry of Northern Affairs have never produced an Annual Report.
- h) Ministry of Natural Resources readily available except for distribution purposes.

Attached are organizational charts of specific ministries as of 1981. Follow-up has clearly indicated that women are severely under-represented within the hierarchy flow.

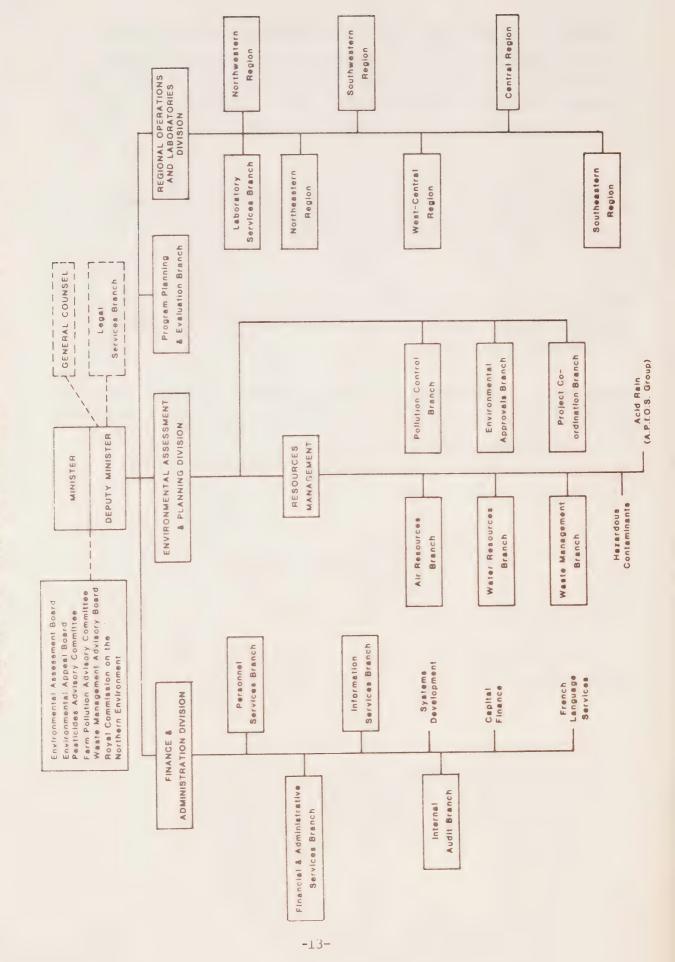
The entire bureaucratic system, as noted by organizational charts also identifies an additional factor. All ministries are based in Toronto, thus decisions effecting northern Ontario are done without first-hand knowledge or appreciation for the prevailing conditions and possible concerns specific to the region.

To emphasis the point, and using the most "grass-roots" ministry as defined by the structure itself, Northern Affairs consists of eleven field offices within the Northwest region. Each office is staffed with a Northern Affairs officer - two (2) women are in the field, with one in the Thunder Bay office who is without a "profile".

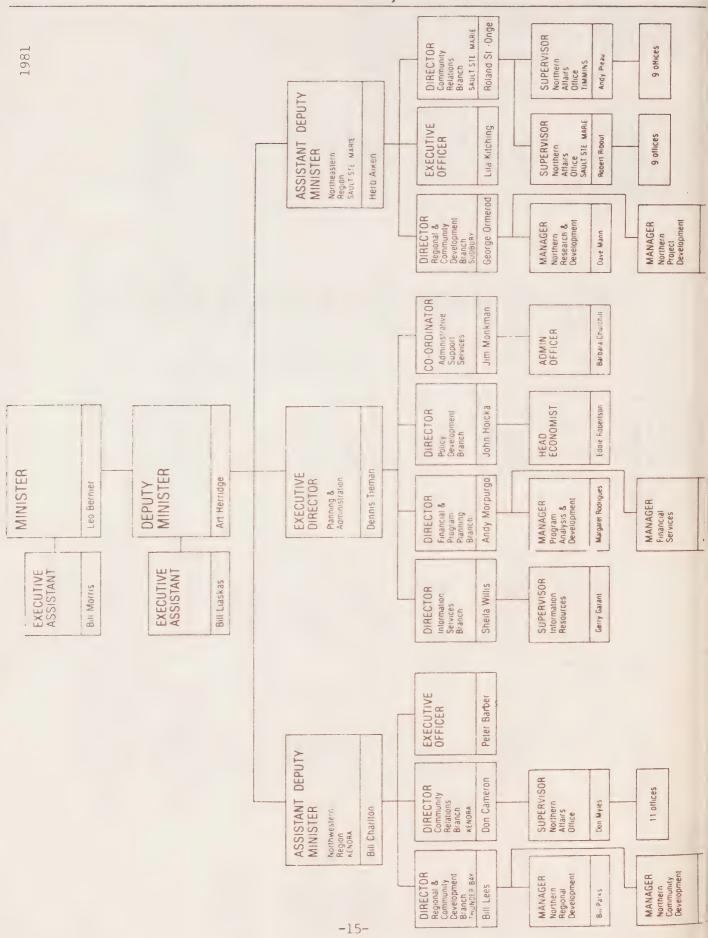
There is no active solicitation on the part of provincial ministries to ensure women's input; the bureaucracy does not provide for women being in a position to influence policy/program direction at the field level, the district level, or the higher echelons in Toronto.

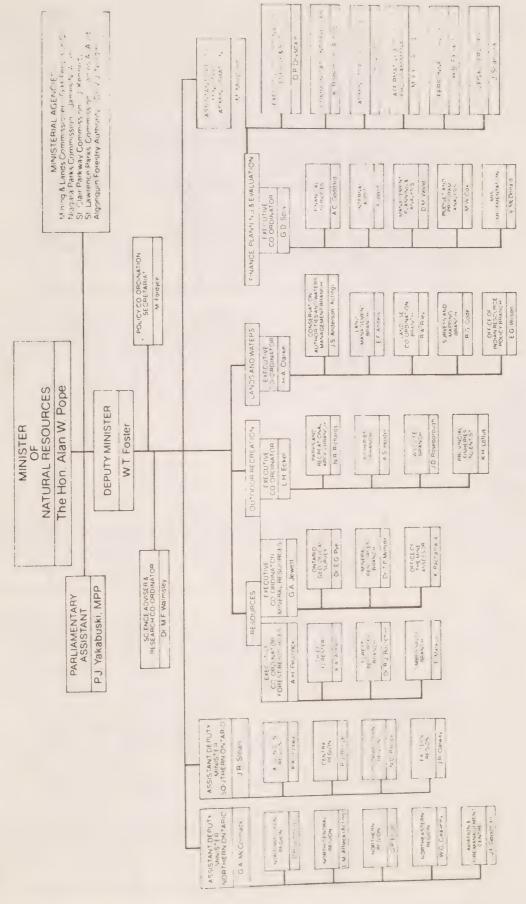
Effectively, women of Northwestern Ontario have been systematically neglected and their political bargaining power eroded by the "operations" of bureaucracy.

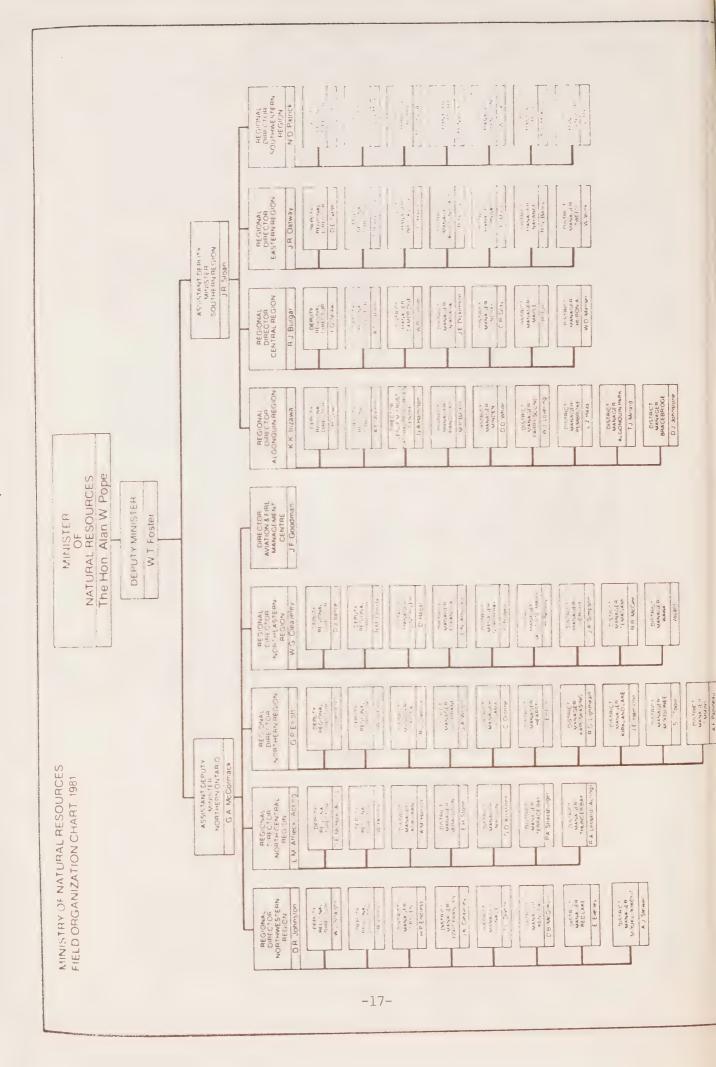
Women's potential for accessing the decision-makers is further jeopardized by the traditional factors that have gained the sensitivity of government. Again, Watkins is adament that the corporate interests have a profound impact in the decision-making processes - to the detrement of other interests.



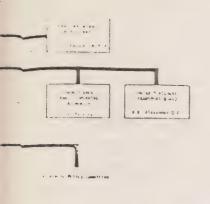
The organization and functions of the Ministry of Northern Affairs.

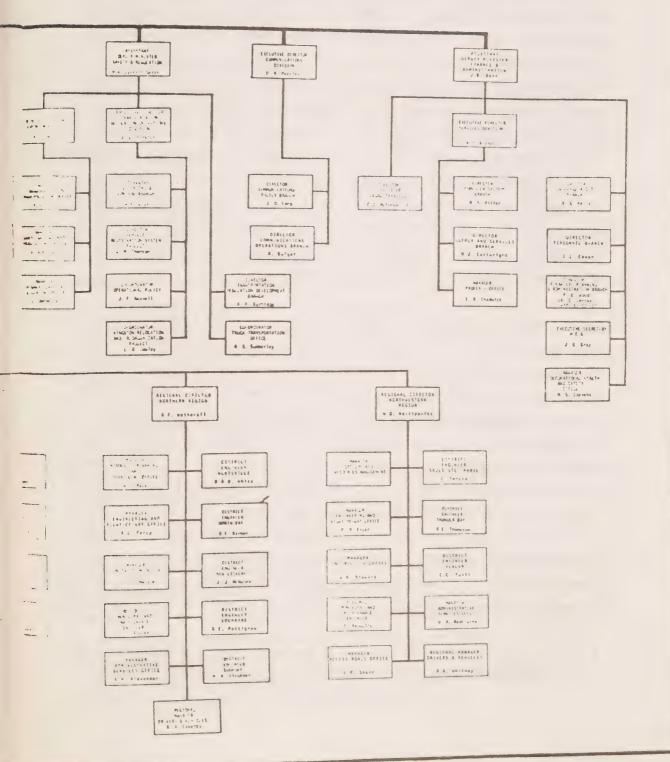






1981





CORPORATE IMPACT ON WOMEN IN NORTHWESTERN ONTARIO

In order to effect change from a community perspective it is necessary to first identify the major components in need of change, in addition to identifying those components who are the potential change agents at the community level. "The lack of concerted effort within the region seriously inhibits the working out of regional solutions by people within the regions themselves." 1 Identifying the inhibitors of sustained economic and social growth geared to human needs is relatively easy in Northwestern Ontario. We have only to look at a sampling of the major corporate interests in the area. It is very clear that women's interests, are not only not represented at the board of directors level of decision making but also not represented at the community level of corporate activities. (See chart of corporate interests.) Corporate decision making effects many aspects of women's lives, for example, where we may or may not live, what paid work or career opportunities are available to us, what can we expect in the quality of our living environment, including housing, child rearing, recreation, physical environment, services and support networks.

In Northwestern Ontario the major corporate interests established are those in resource extraction - forestry, metals and minerals. Many of these corporate interests are multi-national in their activities and inter-related to each other. Stephen Hymer in an article called The Multi National Corporation and the Law of Uneven Development suggests that "the multi-national firm will tend to centralize high level decision making occupations in a few big cities in the advanced countries surrounded by regional sub capitals and confine the rest of the world to lower levels of activity and income, that is, to the status of provincial capitals, towns and villages in a new imperial system. Income, status, authority and consumption patterns will radiate out from the centre in a declining fashion and the hinterland will be denied independence and equality". It is this situation that women in North-

¹ Watkins, Dr. Melvin, University of Toronto, Paper, A Comparison of Northeastern Ontario Economy with that of Third World Countries.

western Ontario are in - a hinterland sub population. The major corporate activities of resource extraction with minimal secondary processing - (same pulp and paper, lumber and same refining of precious metal) most resources are extracted and exported elsewhere for refining and converted into industrial and manufacturing goods. The primary extraction operations traditionally and presently have excluded female participation not only in decision making at a high level, but also at a local or regional level and in the labour force.

B . . .

In Northwestern Ontario resource extraction base communities, the paid work force in mining, forestry - including logging and processing is almost exclusively male. Female employment with resource extraction employers is in the traditional low paid office and clerical occupations. Corporate decision makers have not recognized that women live in the communities where this work is done and are potentially a stable labour pool, Corporate practice has not indicated any commitment to a community and the citizens it depends upon for a labour force, through long range planning with citizen involvement. For example, are communities and workers informed as to the life expectancy of our ore body? In forestry, it is only now that a crisis is realized in that regenerative forest management practices were/are insufficient to provide an ongoing resource. Forestry companies are having to find timber further and further away from their base operation, thus either new communities must emerge as older ones decline or new sources of raw materials are located, and work forces must travel greater distances with the consequent increased costs - personal and corporate. This boom and bust syndrome may be attributed to inadequate long range planning commitments to a community or lack of recognition of the impact that planning has on citizens lives. Corporations planning priorities are focused on profits not people.

In Northwestern Ontario one might say what has this to do with women's role in decision making and planning, especially when women are not even a part of the primary resource extraction work force. $^{2/3}$ Corporations do not recognize women as a potential stable work force in resource

² Women's Work - The Northwestern Ontario Case 1980, NWOIWDCC.

³ Labour Force Statistics, Ministry of Labour, 1981.

extraction occupations, but do seem to recognize women as a source of unpaid work. Female spouses attached to the male work force in Northwestern Ontario, in fact, indirectly subsidize the corporate employer through providing services needed to maintain the worker - ie. meals, home care, laundry, entertainment, etc. This, of course, effects women in that they are not only excluded from primary resource extraction jobs, but, therefore, have access only to the few local service jobs in the support structures that exist to meet the needs of the corporate workers - restaurants, retail stores, etc. The question that must therefore be raised is - given that women are not involved in corporate decision making at any level, nor are they part of the major corporate work force, would this situation change if women had representation and participation in these structures.

We believe that women have not only a right to but a desire to participate in these structures. The issue is the structure must change, the decisions may or may not change.

Historically the previously referred to "services" were part of a corporation's responsibility to its workers. However corporate decision makers realized it was more profitable to its interests to not provide these services - laundry, meals, etc. thus the married male worker whose spouse provides these "services" presumably costs the corporation less. In fact the worker and spouse can spend the worker's income in other corporate interests. The company store still exists it is just harder to identify in the web of corporate holdings. It should be noted that some 'bush camps' do provide these referred to "services" for resident male workers. Were women active participants in the decision to subsidize corporate profits or did they have other choices? It is clear women did not and do not participate in the corporate decision making process, yet they must live with the effects of those decisions.

Town sites in Northwestern Ontario emerge in response to corporate interest for resource extraction. Thus if a corporate (and government) financed town site is built, the persons who occupy these town sites

are expected to accept what is available, presumably, as a privilege for being an employee of the corporation. The corporate and government planners of the town site do not appear to consult with existing or potential occupiers. Given that the male work force has access to the 'tools' to do his work and given that the female does the unpaid 'support' work, should she not have the 'tools' to do her job which is to live and work in the community? ⁴ The male paid occupiers produce for the corporation, the unpaid or low paid female occupiers are expected to attend to the paid workers needs outside of paid work, so he will be satisfied and thus a good producer. Women in Northwestern Ontario are becoming increasingly vocal about this situation. Women in Northwestern Ontario recognize that they are excluded not only from the opportunity to participate in the resource extraction labour force but are victims of corporate decisions in other aspects of their lives.

Several women we spoke with who are spouses of mine company employees have lived overseas or in Latin America where their spouse worked for the same corporation's work sites outside of Canada. These women have emphasized the responsibilities the corporation assumed and provided in sites outside Canada as opposed to those in Northwestern Ontario employment for both spouses if desired, "fantastic cultural and recreational facilities", superb health care often from the corporation's own residential health care staff and other essential amenities. Yet in isolated Northwestern Ontario communities corporate responsibility is diminished. In Northwestern Ontario these opportunities, responsibilities and quality of life issues become government or individual responsibilities. Women in Northwestern Ontario are not saying corporations have sole responsibility for the quality of life, but they are saying that joint planning including participation from government, corporation and community are essential. They also know, this decision making and planning process presently excludes women. (See other sections and corporate board of directors list - women are conspicuous by their absence.) It is clear that corporations have a responsibility to their shareholders, however, do they not also have a responsibility to the people who produce those profits?

⁴ No Life for a Woman, film by Bonnie Kreps.

Corporate interests in Northwestern Ontario are vested in decisions made in head offices in other parts of Canada - usually Toronto or Montreal, or outside of Canada. These head office decisions and policies again are made almost exclusively by men. Is it any surprise then that local corporate decision making authority is also usually male. High profile female role models are definitely limited, however within Northwestern Ontario single industry towns there are women who have expertise in managing, administration, budgeting, short and long range planning, physical labour, etc. (It could be noted that the skills and responsibilities to run a household are analogous to those needed to run a corporation if one cares to do a detailed job description analysis.) It must also be recognized that many women who live in Northwestern Ontario have high levels of education and skills but due to corporate employment barriers cannot practice their skills. We are not aware of any corporate affirmative action commitments in Northwestern Ontario, nor any corporate commitments to training opportunities for women in non-traditional jobs. Women who have successfully been trained in non-traditional occupations - heavy equipment operations, skilled trades, etc. appear to encounter corporate personnel policy barriers. Is this a local decision or a head office policy? (Women's experience in cracking the barriers into non-traditional jobs comes from talking with women in Northwestern Ontario. One other area the corporate decision making excludes women is in the the "quality of life" concerns. Women in Northwestern Ontario know that corporations 'make decisions' to improve the quality of life - corporate donations go to hockey arenas, recreation centres, sports teams, etc. - all primarily male priorities. We can only ask how often these decisions of "corporate responsibility to a community" included women's input and women's priorities, nor have women's groups been the recipients of corporate donations for crisis houses, women's centres, women's culture, etc. Our discussions with area women would indicate that women rarely had input in such a decision, nor did they have access to the decision makers. An example is employee sports teams who are equipped and sponsored by their employer. If women aren't employed they have limited access to the resources available from an employer.

In summary it is clear that women are excluded from the corporate decision making, resource extraction work force, community decisions of the corporation, and are basically unrecognized as existing in a community except possibly as consumers. Women are becoming more organized and vocal about their position as participants in decision making and are asking for their rightful place in the overall fabric of all aspects of life, most significally starting at the community level.

MAJOR CORPORATE INTERESTS IN NORTHWESTERN ONTARIO

% OF SHARES IN OTHER COMPANIES	40% Mattabi Mines	42.8% AMACO (Dominion Bridge Koehring)	.9% Dome Petroleum Denison Mines Ltd4% Panarctic Oils Interest ventures with Dome & AMACO Canada Petroleum in Detour Lake Development	75% interest in a James BayLowlands Development	50.69% Willroy Mines Ltd.	70.7% CPR 100% CP Steamship 100% CP Air 100% CP Express
CONTROLLING INTERESTS OR MAJOR STOCKHOLDERS	93.3% Olympia & York Toronto. Interest venture with Thomson Newspapers Ltd in Augusta, GA. Value 100,000,000	57.63% CPE	56.9% Dome Mines	13% Denison Mines 17.8% Roman Corp	44.9% Little Longlac Gold Mines	10.4% Power Group
NUMBER OF BOARD OF DIRECTORS	13 Toronto 4 other parts of Canada 1 USA	12	3 Toronto 1 North Bay 1 Calgary	5 Toronto 1 Port Credit	4 Toronto 1 USA	20 Canada 2 Europe
PRODUCTS	Worlds largest news- print producer; mining & mineral exploration. Markets for Buchanan Forest Products and utilities.	Smelting, ores steel	Gold extraction, Milling Petroleum.	Oil, gas, mineral exploration, gold	Investment & hold- ing in mining company gold properties gas & oil exploration.	Transportation, natural resources
CORPORATION NAME & HEAD OFFICE	ABITIBI PRICE Toronto Dominion Tower, TD Centre, Toronto	ALGOMA STEEL CO. LTD.	CAMPBELL RED LAKE MINES LTD., Box 270, Suite #2700, First Canadian Place, Toronto	CANRAY RESOURCES LTD. 201 Bay Street Toronto	LAKE SHORE MINES LTD. Suite 2105, North Tower PO Box 156, Royal Bank Plaza, Toronto	CANADIAN PACIFIC LTD. 910 Peel Street, PO Box 6042 Station A Montreal, Quebec

	& HEAD OFFICE	PRODUCTS	OF DIRECTORS	CONTROLLING INTERESTS OR MATOR STOCKHOT NEDS	% OF SHARES IN
			1	STATES OF STATES	OTHER COMPANIES
	C P ENTERPRISES LTD. Suite 1900, Place du Canada, Montreal	Holding co. oil, gas, minerals, iron, steel, etc. also investments portfolios.	16 Canada	71.19% CP Ltd.	54.2% GLFP 57.63% Algoma Steel 100% Maple Leaf Mills 77.47% Steep Rock Mines
	CENTRAL PATRICIA LTD. Suite 1010, Richmond Street West, Toronto (McVITTIE-GRAHAM) Amalgamated June 1982 -	Holding company, - CANWEST EXPLORATION COMPANY	5 Toronto	53.99% M.P. Connell	57% Canwest Explora- tions Co. Ltd. 52% West Graham Mines Ltd.
-26-	DICKINSON MINES LTD. 600 65 Queen Street Toronto	65% interest in gold properties Red Lake Ontario Investment port- folios.	9 Southern Ontario	Kam-Kotia Mines	40% Goldquest Explorations Inc. Sale of 35% interest in Red Lake properties to Sullivan Mining Group + 4% interest in Goldquest 35.7% Kam-Kotia Mines 60% Kenwest Mines 33.9% Abino Gold Mines 22.4% Redcan Gold Mines
	DOME MINES LTD. Box 270 Suite 2700 lst Canadian Place Toronto	Gold mine, resource exploration through interests in other companies	7 Toronto 2 parts of Canada 1 New York	40% Dome Petroleum Ltd	56.8% Campbell Red Lake Mines Ltd. 26.7% Dome Petroleum Ltd equity interest in Norcinda Mines 10% Dome Explorations (Canada Ltd.) Dome Mines & Campbell Red Lake each have 25% interest in joint Venture with AMACO Canada Petroleum Co at Detour Lake Development

MALTOR CORPORATE INTERESTS IN NORTHWESTERN ONTARIO

CORPORATION NAME & HEAD OFFICE	PRODUCTS	NUMBER OF BOARD OF DIRECTORS	CONTROLLING INTERESTS OR MAJOR STOCKHOLDERS	% OF SHARES IN OTHER COMPANIES
DOME PETROLEUM LTD. The Dome Tower 333 Seventh Ave SW Calgary, Alberta	Exploration and production natural gas/oil, minerals.	8 Toronto 2 USA	25.9% Dome Mines	39.5% Dome Mines 46.9% Trans Canada Pipelines Ltd. 52.9% HBO&G Co Ltd.
DOMTAR INC. 395 de Maisanneuve Blvd W., Montreal	Pulp & paper, chemical, exploration gold/ore, exporter fine paper.	14 Quebec 3 Canada 1 USA	22.7% Caisse de dipot et placement du Quebec 21.6% Dufour	
FALCONBRIDGE NICKEL MINES LTD. 40th Floor, Commerce Court NW., Toronto (FALCONBRIDGE LTD.)	Nickel, copper mines/smelter minerals, metals exploration	7 Canada 3 USA 1 Norway	37% McIntyre Mines	4.8% McIntyre Mines Ltd
GREAT LAKES FOREST PRODUCTS PO Box 430 Thunder Bay	CTS Forest products	5 Thunder Bay 3 Quebec 2 Toronto 4 USA	54% CP Enterprises	
HUDSON'S BAY COMPANY Hudson's Bay House 77 Main Street Winnipeg Manitoba	Retailing, fur, real estate, exploration.	16 Canada (2 women) 3 England	73% Thomson Family thru Woodbridge Co & Thompson Equitable (International) Ltd.	36% Simpson Sears, Zellers 16% HBO&G 50% HB Distilleries
INCO LTD. 1 First Canadian Place Toronto	Nickel, copper, other metals hydro carbons, minerals.	12 Canada (1 female) 4 USA 2 Europe		26 subsidiaries wholly owned or controlled.

LITTLE LONG LAC GOLD MINES LTD. Suite 2105 North Tower	Holding com- pany in mine, financing,	6 Canada 1 US A	13.5% Wright Hargearves Mines Ltd.	45% Lake Shore Mines Ltd.
Royal Bank Plaza PO Box 156, Toronto	minerals, oil, gas		22.6% Long Lac Minerals	
MACMILLAN BLOEDEL LTD. 1075 West Georgia Street Vancouver, B.C.	Forest pro- ducts, shipping	13 Canada 1 USA	49% Noranda 10% Block Bros.	<pre>11 wholly owned subsidiaries international operations.</pre>
NORANDA MINES LTD. PO Box 45 Commerce Court West	Minning & exploration	17 Canada 1 USA	39% Brascade Resources 16% Zinor Holdings	49.8% MacMillan 60% Mattabi Mines 100% Canada Wire &
				50% Anglo-Porcupine Gold Mines Ltd. 41.2% Kerr Addison 48.8% Pamour Porcupine Mines Ltd. 33.2% Placer Dev. Ltd. International operations.
POWER CORPORATION 759 Victoria Square Montreal	Holding com- pany, finance, pulp, paper	16 Canada 5 Other	69.9% Paul Desmarcius	15% CP Ltd. 96.7% equity Investors group
STEEP ROCK IRON MINES LTD. 710 40 University Ave. Toronto, Ontario	Mineral, metal extraction	7 Canada (1 S.S. Marie)	77.6% C. P. Enterprises	Sturola Exploration Limited.

% OF SHARES IN OTHER COMPANIES

CONTROLLING INTERESTS OR MAJOR STOCKHOLDERS

NUMBER OF BOARD OF DIRECTORS

PRODUCTS

CORPORATITON NAME & HEAD OFFICE

ONTARIO
NORTHWESTERN
Z
INTERESTS
CORPORATE
MAJOR

CORPORATION NAME & HEAD OFFICE	PRODUCTS	NUMBER OF BOARD OF DIRECTORS	CONTROLLING INTERESTS OR MAJOR STOCKHOLDERS	% OF SHARES IN OTHER COMPANIES
STELCO Toronto Dominion Centre Toronto, Ontario	Steel producer interest in ore properties	15 Canada	93% residents of Canada	Griffith Mines
TRANS CANADIAN PIPE LINES Commerce Court West Toronto, Ontario	Gas, trans mission, lines exploration	15 Canada 1 USA	47% Dome Petroleum 98.16% shareholders residents of Canada	Manage Polar Gas
WEIDWOOD OF CANADA LTD. 1055 W. Hastings Street Vancouver, B.C.	Forest products	10 Canada 2 USA	73.12% Champion Inter- national Corp (USA)	
WILANOUR RESOURCES LTD. South Tower Royal Bank Plaza Toronto, Ontario	Gold	6 Ontario	1982 - Bankruptcy proposal pending finaicing plan.	pending finaicing plan.
WILLROY MINES LTD.	Effective June 1982	- Assets to LONG LA	Effective June 1982 - Assets to LONG LAC MINERALS preserves major stockholders. 50.69% I 19.76% W	ockholders. 50.69% Lake Shore Mines 19.76% Wright Hargreaves.

Great Lakes Forest Products - five (5) board members in Thunder Bay. The only corporation with northern representation of significance. **NOTATION - only three (3) women identified on Boards of Directors.

Financial Post Corporation Service 481 University Avenue 1981/1982

Major stockholder interests may have changed.

MAYORS, REEVES, CHAIRPERSONS, COUNCILLORS, TRUSTEES

This section examines the female/male distribution of the elected officials in the forty seven (47) towns, townships and improvement districts in Northwestern Ontario. Realizing that these officials are in positions to make decisions for their communities, the authors felt it was important to examine the involvement of women in these positions.

The original information is derived from lists (September '82) supplied by the Municipal Advisory Council. Certain license has been taken by the authors of this paper. The original lists site "Chairmen and Vice-Chairmen" for improvement districts, we use the non-sexist term "Chairperson" to apply to both the above terms.

The data (Table #1) demonstrates that there are eight (8) towns in Northwestern Ontario which in turn means eight (8) mayors. There is not one mayor who is female in Northwestern Ontario.

There are thirty six (36) townships in Northwestern Ontario; the highest elected official of a township is a reeve. Thirty two (32) reeves are male while four (4) reeves are female. Each town and township elects a number of councillors to aid the mayor or reeve in decision and policy making. When examining the data we find that there are one hundred and sixty five (165) councillors who are male and thirty three (33) councillors who are female.

There are three (3) improvement districts in Northwestern Ontario with a total of seven (7) chairpersons. Not one chairperson is female. In these improvement districts there are a total of four elected trustees in which three (3) trustees are males and one (1) is female.

We then see that one hundred percent (100%) of the mayors and one hundred percent (100%) of the chairpersons are male. Only eleven percent (11%) of the reeves and seventeen percent (17%) of the councillors are females

as are only thirty four percent (34%) of the trustees.

TABLE #1

TITLE	FEMALE	MALE	TOTAL	NUMBER OF COMMUNITIES	WOMEN'S % OF TOTAL
Mayors	0	8	8	8	0%
Reeves	4	32	36	36	11%
Chairpersons	0	7	7	3	0%
Councillors	33	165	198	44	17%
Trustees	1	3	4	3 .	34%

Since communities elect a number of councillors to the position; it is important to examine the gender distribution in more detail. There are forty four (44) communities with councillors in Northwestern Ontario.

Twenty communities have no councillors who are female; fifteen (15) communities each have one (1) councillor who is female. Two (2) communities have less than fifty percent (50%) female representation while seven (7) communities have fifty percent (50%) representation. There are no communities which have more councillors who are female than male. This means that sixteen percent (16%) of the communities have less than fifty percent (50%) representation by women councillors.

TABLE #2

FEMALE REPRESENTATION AS COUNCILLORS	NUMBER OF COMMUNITIES
No representation	20
One representative	15
Less than fifty percent	2
Fifty percent	7
More than fifty percent	0
Total	44

COMMENTS AND IMPLICATIONS

The authors of this report question the extremely low representation of women to the elected bodies in Northwestern Ontario. Certain questions must be raised as to why the extremely low number of women elected to town positions. Is child care offered in order that a woman, if elected, would be able to attend meetings? Must one use their own funds for campaigning or are there public funds available? It is very difficult for women in our one-industry towns to find good paying jobs that would allow her to have access to disposible monies. Are women encouraged to run for office? Due to their previous socialization women are trained to be less assertive, with an ideology of stand behind your man. Women need encouragement and support to undertake a public venture.

The authors are not stating that if more women were elected to councils that they would vote differently than the incumbent men even though certain studies do indicate this. (Studying women's voting patterns in Northwestern Ontario was not part of our research undertaking.)

We do, however, realize that women are often involved in different areas of interest than the men in Northwestern Ontario. Women are the ones who are with the children day in and day out, through the summer and long winters. They know how difficult it is to find transportation if the family car is taken, by the husband, to his work each day. Women are the persons developing mental health problems in significant numbers because of a sense of isolation, loneliness and frustration. Women are the ones with families when they are sick. Therefore we maintain that if more women were elected to town councils, there would be more time and energy spent on economic development issues around housing, transportation, recreation and health. They know what social infra structures should be built into economic development plans.

ECONOMIC DEVELOPMENT COMMITTEE

This section examines the female/male distribution in local economic develop-

¹ Women's Work: The Northwestern Ontario Case, NWOIWDC, 1980

² The Double Ghetto, Pat and Hugh Armstrong, McClelland & Stewart, 1978

Ms, "Feminist Notes: Five Reasons to Vote, Any One of Which Should be Enough", Gloria Steinen, November 1982.

ment committees. These committees examine their own communities and suggest policy around issues of economic development. After speaking with persons in each community in Northwestern Ontario, the authors have learned that there are varied names for this type of committee - industrial development committee, economic development committee, planning committee. Also some communities which are in close proximity to each other have banded together to form one committee for example, Kenora, Keewatin, Jaffray, Melick all are represented on the Tri-Municipal Economic Development Committee.

For purposes of common understanding, in this report all the above named committees will be categorized generically as Economic Development Committees.

In this particular section of the report the original data was obtained from telephone calls or personal interviews. The communities are divided as follows: one (1) city, seven (7) towns, thirty six (36) townships and three (3) improvement districts. The above division was obtained from September 1982 lists supplied by the Ministry of Northern Affairs.

It should be mentioned that the collection of data was more difficult in one particular community. The following detailed explanation is included as the authors believe the incident is representative of the thinking of people who occupy positions of power which in turn are in the vast majority - men.

The authors phoned the Chairperson of The Economic Development Committee five times since he did not answer any messages. This in itself we found rather significant; is this the sign of a progressive interested committee? With the fifth call we were lucky enough to be switched to this illusive decision maker. An explanation was made about the report and the organization. After being asked whether it would take more than five minutes since he was a busy man and assuring him it would take only about three to four minutes, the questions were asked. However, we came to an impasse with the second question, "Could you please tell me the number of males and the number of females on the committee?". In an angry voice.....
"I CONSIDER THAT UNIMPORTANT AND IRRELEVANT AND I REFUSE TO ANSWER!"
Perhaps he considers it unimportant and irrelevant because he has never

been in a powerless and minority position. The authors believe this type of attitude has been and continues to be one of the barriers to women's participation.

The technique for data gathering had to change when public information was refused to be released. One of the authors telephoned a councillor in the community who in turn obtained the information

Upon a cursory glance, there are forty seven (47) communities in Northwestern Ontario with thirteen economic development committees. The total number of committee members consists of ninety one (91) persons. This total number breaks down to fourteen (14) females and seventy seven (77) males. This means that only fifteen percent (15%) of the total number of economic development committee members in Northwestern Ontario are females.

It is vital to state from the outset that the members of each of the thirteen (13) economic development committees are appointed. This information and its implications will be expanded further along in this report. The authors believe that a closer examination of the female participation on economic development committees in Northwestern Ontario is necessary. If these bodies are the ones involved in future policy making for our region then it is important to examine women's participation in decision making at this level.

For a more indepth inspection of the above information, the authors have categorized the committees by the number of population (Table #3). We find that in the one community of a population between five hundred and one (501) and one thousand (1,000) persons that has an economic development committee, there is one member who is female and seven members who are male. There are two (2) economic development committees in towns that have a population of one thousand and one (1,001) to two thousand (2,000) persons with a combined total of eleven (11) members. Of this total three (3) are female and eight (8) are male. In the communities that have a population of two thousand and one (2,001) to three thousand (3,000) persons, there are five (5) communities with a gender distribution

of six (6) females and twenty five (25) males. There is one economic development committee in towns of a population between three thousand and one (3,001) to five thousand (5,000) persons. This committee has no female representation. In communities of five thousand and one (5,001) to ten thousand (10,000) persons, there are three (3) economic development committees with a total number of eighteen (18) members — three (3) females, fifteen (15) males. In the one community in the region that has a population of a hundred thousand or more there is one (1) woman and sixteen (16) men on the economic development committee.

TABLE #3

ULATION	NUMBER OF COMMUNITIES	NUMBER OF E.D.C.	TOTAL # FEMALE	TOTAL # MALE	TOTAL # MEMBERS	WOMEN'S % OF TO
1- 500	10	0*	quan	min .		_
1-1000	9	1	1	7	8	12%
1-2000	1.0	2**	3	8	11	27%
1-3000	11	5	6	25	31	19%
1-5000	3	1***	0	6	6	0%
1-10,000	3	3	3	15	18	17%
1-100,000	0	-	No.	_	-	
0,001 +	1	1	1	16	17	6%
YTAL	47	13	14	77	91	15%

^{*} Atwood, Worthington, Blue, McCrosson and Tovell are included in the Rainy River Area Committee.

The above table examined in detail:

1. Communities with a population of 501-1000 with an economic development committee.

Nakina – 1 F 7 M Total 8

2. Communities with a population of 1001-2000 with an economic development committee.

Machin 0 F 3 M Total 3 Rainy River area 3 F 5 M Total 8

^{**} Keewatin is included in the Tri-Municipal Economic Development Committee (Kenora).

^{***} Jaffray and Melick are included in the Tri-Municipal Economic Development Committee (Kenora).

3. Communities with a population of 2001-3000 with an economic development committee.

Geraldton	.2 F	6 M	Mot-1 0
Marathon	1 F	7 M	Total 8
Nipigon	2 F	* * *	Total 8
Oliver		5 M	Total 7
	2 F	7 M	Total 9
Terrace Bay	1 F	6 M	Total 7

4. Communities with a population of 3001-5000 with an economic development committee.

Atikokan 0 F 6 M Total 6

5. Communities with a population of 5001-10,000 with an economic development committee.

Dryden	1 F	4 M	Total 5
Fort Frances	2 F	4 M	Total 6
Kenora	0 F	7 M	Total 7

6. Communities with a population of 100,001 plus with an economic development committee.

Thunder Bay 1 F 16 M Total 17

We find that of the thirteen (13) economic development committees there is not one with at least a fifty percent (50%) representation of members who are female.

COMMENTS AND IMPLICATIONS

The authors of this report question the extremely low representation of women on economic development committees in the region, particularly since, as noted previously, the committee members are all appointed. If women are fifty one percent (51%) of the population is it not considered "taxation without 'due' representation"?

Why do women continue to remain marginal or just tokens to the economic development committees? Why is participation so difficult when these positions are by appointment?

"Think of these positions as being located within a landscape. This landscape is easily recognized by the people who occupy these positions. They know its perspectives, they are familiar with its reference points, its contours. When they first arrive they are given guided tours by the other inhabitants. They move around within the landscape collecting common experiences, sharing common interests, identifying common objectives. They take for granted the existence of this landscape, its population, the experience of living within this population, the objectives in life which are significant to this population. This landscape is inhabited almost entirely by man. It belongs to men. It is their territory. The men moving within this territory listen to and treat as significant only what men say.

From this class or group, women have been to a large extent excluded. They have been admitted to it only as special exceptions and as individuals. They are never admitted as representatives of their sex. Women can enter this class only by learning to operate within the male landscape, checking back against its reference points, walking carefully along the paths which they have learned to identify, but knowing all the time that they are in an alien land. They retain their residence permits as long as they are willing to suppress their own value systems and as long as they are willing to use male ideologies and male concepts as their delivery mechanisms." 4

A common response is that women have little to contribute or do not wish to participate on economic development committees. However, it is the women who must cope with the results of these erroneous perceptions and the impact of so called economic development. For example, family stress, high alcoholism, etc. It is usually the women who run the households, this includes the day to day planning, organizing, and financial management. Women, both historically and today are used to budgeting and planning, therefore the myth that women cannot or do not wish to participate is one that is perpetrated only by those wishing to retain power and hoping to keep women in a marginal decision making position.

⁴ Caner, Eileen, from a speech given in Terrace, B.C., September 1975.

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Marathon
Thunder Bay

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WOMEN IN THE WORKFORCE A STUDY OF NORTHWESTERN ONTARIO

A SUMMARY OF RESULTS

Information for this study of women's work was compiled through a self-administered questionnaire completed by a random sample of women residing in eight communities of Northwestern Ontario. These communities were: Atikokan, Fort Frances, Kenora, Dryden, Red Lake, Terrace Bay and Sioux Lookout. In total, 1,130 women received the survey and 603 responded, representing a return rate of 58.4 percent.

STUDY RESULTS

A traditional perception of a woman's role in society sees marriage, child care and homemaking as the typical life pattern of the average Canadian woman. However, study of the life of Canadian women shows that the traditional roles of wife and mother have expanded to include paid employment outside the home.

In our study of Northwestern women we found that slightly over 50 percent of married women worked outside the home. In the middle age years, many women showed a preference for part-time work which was more compatible with home responsibilities. The new tendency of women to work outside the home seriously challenges the cliche assumption that women's work is unreliable and they are only 'marginally' attached to the labour force.

Our study also plotted women's work by the presence of young children in the home. As expected, the presence of children under six years of age depressed the paid work activity of women. However, the majority of women who had 'chosen not to work outside the home' at the survey time, due to the presence of young children intended to return to the labour force within two years.

Study of women's work by education showed that a relatively higher educated woman was more likely to work outside the home. However, the majority of women in Northwestern Ontario are concentrated in the lower levels of educational attainment. Therefore, women of lower levels of educational attainment contribute the largest number of workers to the regional labour force.

In examining women's educational level by occupation we found that regardless of educational attainment, most women were employed in traditional female work, ie. sales, service, nurses, teachers. In addition, a substantial percent of women with higher education worked in jobs they were clearly over-qualified for.

Of all educational groups, university women suffered the highest unemployment rate (14.6 percent). The second highest group were women with grade 12 or less, reporting 14.2 percent. From our study we have shown that unemployment is a serious problem for all women of the region, regardless of educational attainment.

The high unemployment among women of Northwestern Ontario demonstrates that the majority of occupations of the resource based economy in the region, have been defined as male work. Women compete for a very limited number of sales, service and clerical jobs, defined as traditional female work. The high unemployment rate of university and college educated women shows there is a limited demand for traditional female semi-professional and professionals, ie. teachers and nurses. The high unemployment rates of less educated women comments on the lack of community based, vocational and trades training which would allow these women to compete for better paid crafts and trades occupations.

The occupational distribution of female workers in North-western Ontario closely resembles that of Ontario and Canada, where the largest number of women are employed in clerical, sales and service jobs. In total, approximately 52 percent of all women surveyed worked in these traditional female occupations.

University and college educated women worked in nursing and teaching almost exclusively. Only 3.8 percent of women found employment in the crafts and trades.

The Northwestern Ontario <u>labour force tends to be polarized</u> into well paid, highly skilled workers and unskilled, underemployed and unemployed groups. Women are part of the <u>latter</u> category of workers in our region. They cannot compete for well paid employment due to a lack of skills and access to training and the definition of most crafts and trades occupations as male work.

Traditional female occupations, with the exception of nursing and teaching, are marked by very low wages, limited opportunities for advancement and low skill requirements. In the income comparison of male and female workers, we found that about 68 percent of full-time female workers earned less than \$11,000 in 1978 while only 22 percent of married male workers earned less than \$13,000 for the same period. A substantial number of full-time women workers earned less than \$9,000 and only 4.9 percent earned more than \$19,000.

Occupational segregation and sex-specific pay are the primary characteristics of the Northwestern Ontario labour force

One of the most interesting questions included in our study was designed to assess women's interest in training and employment in non-traditional occupations. Respondents were asked of their interest in five non-traditional jobs. Approximately one third expressed an interest in training and employment as a mechanic, electrician, heavy duty equipment operator and railroad brakeman.

Given the very high unemployment rate of women of the region and the demand for skilled crafts and trades people, women's interest in these jobs should be encouraged. If and when training and employment of women in these occupations is encouraged by government and industry, a stable workforce of skilled workers will be created. Instead of travelling outside

the region for skilled employees and training imports to regional communities, government and industry should move to encourage and plan for designating women a training and target employment group.

CITIZEN PARTICIPATION IN PLANNING URBAN ENVIRONMENTS

A paper presented at the October 1975 national Workshop on Concerns of Workshop in Shaping the Urban Environment, by Marlene Catterall, Ottawa.

IN DEFENSE OF THE PROCESS

I find I cannot put forward a statement of position on the concerns of women in the urban environment without returning to the more fundamental issue of the whole process by which individuals and groups can inform and affect the decision-makers who shape that environment.

Whatever the group, whatever the particular interest or viewpoint, the significant factor is that a process exist whereby people with special concerns can communicate these and have them reflected in the decisions which determine their environment. I would go one step further and suggest that a process by which they can participate in decision-making itself deserves consideration. The benefits I see from such a process would be the development of urban environments which reflect the needs of people:

 To feel comfortable in their environment and not overwhelmed by its size and complexity.

2. To identify with and feel supported by their local communities.

3. To experience some real level of control over the decisions which shape their lives.

I stress the process, because viewpoints change from person to berson, from group to group, from time to time. I suspect that, for instance, the closer we get to defining universal women's concerns, the closer we get to defining universal human concerns, and the further we get from looking at how the very real concerns of people in particular circumstances can be

How can we ensure that the broad range of human needs can be expressed considered and accommodated in planning our cities and communities? The three key elements in the process are the political level, the staff role and the citizen's involvement. The inter-relationship between these three is all important.

- 1. For there to be any effective participation in influencing decision making there must be commitment by our elected representatives to the concept that citizens have an on-going role to play in governing, and not only a judgemental role at the polls. They must be open to receiving and responding to information and opinions from the electorate. They must be willing to accept the very difficult responsibility of defining and defending policies and priorities within which those expressed needs will be met. With a commitment to hearing and responding comes a commitment to providing the resources by which citizens can formulate, substantiate and express their views.
- The role of staff people in a participatory process is crucia The commitment of the political level, if it is real, must be conveyed to the staff, so that their attitude in dealing with citizen participants is one of support. There must be a willingness to put aside the shield of expertise and be open to a level of data which they have perhaps not dealt with before, but which can broaden the perspective from which professional recommendations are made. It is vital that they have the capability to understand and deal with the dynamics within a community. They should be able to assist citizens to design and implement a process of articulating and fulfilling their own aspirations, and they must respect the volunteer commitment and appreciate its limitations.

3. Citizens must be convinced that a process, once initiated, can genuinely lead to real influence in decision-making. For that reason, they have a responsibility to help formulate the process itself, to be realistic about their own commitments to participation and the resources within their community to carry it through. They must be sensitive to the viewpoints they do not represent and see that those aspects are brought to bear on the issue.

EN'S CONTRIBUTION TO PARTICIPATION

Is there a particular experience which women as such can bring to a pocess of involvement in influencing decision-making which affects their vironment? Are there particular difficulties they encounter as women? answer to both questions is YES.

Women's experience - contribution

- 1. Whether working outside the home or not, women are still assigned or assume primary responsibility for child-rearing and housekeeping. They are therefore the ones who can provide the user viewpoint on, for example, house design, with reference to its being supportive or not of easy maintenance, comfort, enabling people to live together productively.
- 2. Women spend more time than men in their community, dealing with its physical and social realities. They can tell planners if and why parks are used or not, why cars are more convenient than buses, how the local school is functioning, whether they feel isolated at home or part of a social fabric, whether medical and social services are located and functioning in the best way.
- 3. More women than men are in the human needs service professions and are therefore aware of the weaknesses of our communities and cities in meeting those needs.
- 4. Women do most of the family purchasing and can tell planners and architects whether shopping areas are conducive to getting the job done efficiently and pleasantly. (What woan would plan a shopping centre without a place to stash parcels or children?)
- 5. Do communities and cities provide an environment suitable to "childhood living" at all stages? On a day-to-day basis, it is women, not men, who have direct experience of this aspect of the urban environment.

Problems in Participation

The special problems of women playing an active role in their communities are related directly to the contribution they have to make.

- 1. Often (usually?) we are underpaid or financially dependent and that means money for gas, babysitting, supplies is harder to come by. Most importantly, it means that an active role is barred to the women who most desperately need to be heard.
- 2. Often we are mom and housekeeper and many times also wage earner. So we are shoving in loads of laundry between paragraphs of a brief, reading plans while stirring the hamburger and cocking half an ear to children while figuring out how to handle a difficult meeting!
- 3. We are coping with the emotional reactions of families who may be finding for the first time that mom is capable of and interested in more than having supper ready on time, and certainly, she's not home as much.

4. And, oh yes, the pat on the head because you are "just a voluntee" the frustration of trying to do a professional job as a volunteer without the technical support that paid staff take for granted.

Solving some Problems

What kind of support is needed to build effective participation?

- 1. Moral support professionally and politically; an attitude that says we respect the time, effort and knowledge that women have to contribute.
- 2. Direct support to the process of organizing and involving a broad range of community opinion.
- 3. Professional support and advice on testing ideas and finding ways to implement.
- 4. Practical support in facilities where needed for meeting space, storage space, typing and duplicating.
- 5. Direct financial support to help those who most need to be heard.

ROYAL COMMISSION OF THE NORTHERN ENVIRONMENT SUBMISSION: DAN KUCHERAN RE: CARGILL PHOSPHATE RESEARCH CENTRE

From the past experiences Ontario and Canada should have learned some lessons of having foreign people, equipment, technology and capital develop our natural resources. This has proven to be excessively exploitive, environmentally distruptive, costly, lacking in development of our human talent and skills and economically deterimental. This caused us to experience a negative multiplier effect (a downward spiral) robbing us of technical development, machinery production, design improvement, mineralogy, refinement technique development and procedure improvement. We saw the set up of only "part" industries that did not satisfy either our own domestic requirements nor did it make us competitive in the world market [as how can a branch plant be allowed to compete against its parent company of another branch plant elsewhere.

Now after many hard lessons it is desirable for Canadians to develop their own resources with their own research in their own way with their own equipment for their own benefit and then for the service of the world market. Then we will only import only what is necessary and not what we have been manipulated into buying. We will not be so greatly influenced by the "lure of the cheaper" principle where products and services at the ourset appear to be cheaper but certainly more expensive when one considers the loss of jobs, experience, skill, control and market influence. It is imperative that any future development at Cargill take into account a high degree of Canadian ownership, financing, management, and procedures which originate from our own research.

It is for this end that I propose the development of a Research Centre established in Kapuskasing, Ontario for the following:

- a. phosphate
- b. peat

CARDIN

- c. tree planting in the clay belt
- d. alternate energy creating AN ALTERNATE ENERGY CENTRE.

Any and all related research on the above areas should be surveyed and collated and then new research should be undertaken. It is in this way that we will put into use our absolute advantages and play our role among the nations of the world - after all we do have the unique position of being the world's second largest country with a wide variety of abundandant resources with the world's smallest population that still has high unemployment, huge budget deficits subject to high interest rates and high inflation.

The phosphate should be refined on site and as many products as possible turned out of it within the immediate area. The first products that we should produce are those which we presently import the most; those which we can predict which we will be importing in the very near future are the ones we should plan for in the second phase of the mine development.

The peat could be turned into a variety of products and energy forms — as pettets (Bioshell) and used as fuel for domestic purposes as well as fuel for the "melt—ail" that could greatly reduce snow removal costs for all northern municipalities.

Research would enable us to carefully plan excavation, dumping of wastes and overburden as well as plan for vegetative growth in the mined areas. Research in the field of forestry is of paramond importance at the present time. Importing our research at very high costs and applying it to an environment that is unique just does not work. Plant succession problems occur when spruce is havvested in regions that have limited to severe limitation for forest capability.

In my presentation I address myself to the following:

- a. economic future of the forest product industry
- h. mineral development in Northern Ontario
- c. a pilot porject in Kapuskasing for a RESEARCH CENTRE and AN ALTERNATE ENERGY CENTRE
- d. tourism

We have to tackle root causes and not deal with symptoms and surface issues that cause us to run around in circles. It is time for us to stand on our own feet and assume the responsibility that goes with maturity - economic and social maturity.

Taking the example of chrysler: if Canadians would have invested the grant money and tax breaks given to that company and applied that to research into a Canadian "CAR", today we would have been closer to being able to safisty our own domestic demands and; world markets could soon be tapped with our overwelming resources and energy. In the same way research in the area of forest productivity and forest product production would enable us to come out with the wide variety of products rather then be limited to that which other have us produce. We do not need to go much further than our import list to find out what we could be producing that is in great demand at the present time. Replacing our own production with what is presently imported is sufficient motivation for immediate economic turnaround.

For a more detailed coverage of my proposal I refer you to Mr. Keith Croswell, Director Ontario Government Building 199 Larch Street, 4th Floor Sudbury, Ont. P3E 5P9

and Mr. Herb Augustine
Ministry of Education
North Bay

Jun meteren

Dan Kucheran 42 Brock Cresc. Kapuskasing, Ontario P5N 2K1



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RETURN TO DETOUR LAKE:

RECOMMENDATIONS CONCERNING THE ENVIRONMENTAL ASSESSMENT PROCESS

By

THE CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION

RICHARD WOODS, PROJECT DIRECTOR

NOVEMBER 1982

Canadian Environmental Law Research Foundation La Fondation canadienne de recherche du droit de l'environnement



8 York Street, 5th Floor South, Toronto, Ontario M5J 1R2, telephone (416) 366-9717

CELRF/F;

ROYAL COMMISSION ON THE NORTHERN ENVIRONMENT

J.E.J. Fahlgren, Commissioner

RETURN TO DETOUR LAKE:

Recommendations Concerning the Environmental Assessment Process.

Ву

Canadian Environmental Law Research Foundation

Richard Woods; Project Research Director

November 1982

This publication has been prepared with the financial assistance of the Royal Commission on the Northern Environment. However, no opinions, positions or recommendations expressed herein should be attributed to the Commission. They are solely the responsibility of the Foundation.

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CELRF/FCRDE

Street, 5th Floor South, Toronto, Ontario M5J 1R2, telephone (416) 366-9717

December 6, 1982

Mr. J. E. J. Fahlgren Commissioner Royal Commission on the Northern Environment

Dear Mr. Fahlgren:

I am pleased to present to the Royal Commission on the Northern Environment this submission made by the Canadian Environmental Law Research Foundation.

The Commission is to be commended for seeking public participation through the hearing process and for extending the financial support which has made this submission possible.

As our submission makes clear, we strongly urge the Royal Commission to endorse the Environmental Assessment Act and to lend its support to the Ministry of the Environment in its attempts to implement and administer the Act in a fair and even-handed manner. The purpose of this submission is not to criticize the Environmental Assessment Act, the way it is administered by the Ministry of the Environment, or the Ministry itself.

The intent of the submission is to put forth constructive suggestions for improvement to the environmental assessment process which we believe will be of benefit to the Commission and, ultimately, to the people of northern Ontario.

Yours truly,

Doug Macdonald Executive Director

32861

DM:rl encl.

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Introduction

The Canadian Environmental Law Research Foundation has submitted this brief to the Royal Commission on the Northern Environment because there is a need for improved decision-making and more effective public participation in the environmental assessment process as it occurs in northern Ontario.

The brief begins with an outline of the past history of the Environmental Assessment Act and its application in recent years. It then goes on to discuss the public participation process and suggests a variety of ways in which that process could be strengthened.

The brief then considers the question of exemptions under the Act and the ways in which the environmental assessment process will be affected by the introduction of joint hearings under the Consolidated Hearings Act.

Finally, a case study, the Detour Lake Road, is discussed to provide concrete illustrations of the theoretical points raised in the main body of the brief.

While preparing this study, the project team reached two major conclusions:

Past experience clearly shows that the exercise of discretion under
the Environmental Assessment Act is unlikely to result in increased
environmental protection.

The success of the environmental process in the north will be determined largely by the extent to which it incorporates public participation as a real factor in the decision-making process.

The project team concluded further that environmental assessment in northern Ontario is less than fully adequate because of four major weaknesses. They are:

- The lack of funding to enable members of the public to participate fully and on an equal footing with the proponent of an undertaking;
- 2. The broad discretion of the government to exempt projects which clearly have a significant environmental impact, with little or no opportunity for the public to have a say in this decision;
- 3. The perception by proponents of undertakings (whether or not this perception is accurate) that the Act leads to unnecessary and unacceptable delay, duplication of effort, and expense;
- 4. The attitude of the Ontario government itself towards environmental impact assessment.

It is to address those weaknesses that the following recommendations are made:

CONCLUSIONS AND RECOMMENDATIONS

I. Public Participation

- For every undertaking which is under the Act, project-specific guidelines should be drawn up.
- 2. The Act should be amended so that when the Ministry is about to draw up these guidelines, it will give public notice and invite comments on the proposed guidelines.

- 3. The second point of notification should occur as soon as the environmental assessment is submitted to the Minister and written submissions should be invited within an established deadline.
- 4. The third point of public notification should occur when the government review is released.
- 5. The fourth point of notification should occur when the decision has been taken to hold an Environmental Assessment Board hearing.
- 6. The Act should be amended to require the Board to give a minimum of sixty days' notice of the hearing and it should also specify that any request for an extension of time will be granted if it is received within thirty days of the initial notice.
- 7. If an appeal is made to Cabinet regarding the Board's decision, the appellant should be required to serve notice of his appeal on all the parties to the hearing and the Minister should be required to issue a press release indicating that an appeal has been received.
- 8. The procedures adopted by the Environmental Assessment Board in relation to pre-hearing conferences, witness statements and interrogatories are a major step forward and the Board is to be commended for its actions in this area.
- 9. Section 32 of the Act, which defines the content of the public record, should be amended to include the project-specific guidelines for each undertaking and all background documents which are relied upon in the environmental assessment document and in the government review.
- 10. Local depositories should be created in the north to contain copies of the full public record and local municipal offices and band offices be utilized for this purpose in northern Ontario.

- 11. The Environmental Assessment Board has demonstrated its willingness to grant standing to appropriate individuals and groups. However, the specific designation of standing should be more widely defined and guidelines should be developed by the Board as a framework for exercising its discretion.
- Not only from environmental groups but from within government itself there has been a virtual flood of public funding recommendations concerning the environmental assessment process. The Commission should consider this question: What would the extent and quality of public participation have been in these deliberations if the Commission had not provided public funding? For the north, refusing to provide public funding for participation in the environmental assessment process would have the effect of totally excluding northerners from the decision-making process.
- 13. The cost of public participation should be covered by a special fund which is financed by proponents. The amount that each proponent contributes, whether public or private, could be either a percentage of the cost of its environmental assessment study or a percentage of the proposed capital cost of the project.
- 14. All costs directly related to public participation in the environmental assessment process should be funded. Expanded funding should be available if an environmental assessment hearing is held and the fund should cover the cost of research, expert witnesses, legal counsel, transportation and communication. Funding should be available for both local groups and established interest groups.

Committee to carry out these functions is recommended. establishment of an Environmental Assessment Advisory of significant undertakings in the private sector. excessive use of discretion and to reduce the exemption the screening mechanism, and safeguards to prevent the

to the most exceptional circumstances and subject to the grounds of advanced planning should be restricted the Act is extended to the private sector exemptions on of the date on which the Act will apply to it and after The private sector should be given six months' notice

review by the Advisory Committee.

are assessed individually. A combination of "bump-up" to have significant environmental impact individually able "bump-up" provision to ensure that projects likely vate or the public sector, there must always be a suit-If class assessments are to be used either in the pricumvent the intent of the Environmental Assessment Act. to ensure that class assessments are not used to cir-Ontario government that it institute suitable safeguards It is recommended that the Commission recommend to the

provisions and scrutiny should be carried out by the

Advisory Committee.

The main criteria for releasing a project from environ-

assessment process should be limited. sparingly, and discretion to exempt projects from the vironmental impact. Other criteria should be used mental impact assessment must be its anticipated en-

mendations to the Ontario government regarding the use It is recommended that the Commission make three recom-23.

greatest extent possible.

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SI.

.02

Specific, clear guidelines and criteria for desigof discretion:

public, and decisions must be based on these to the nations and exemptions should be promulgated and made

have been completed. to a "one-way" award of costs to be made after hearings Committee. A project-funding approach is preferable agency such as the Environmental Assessment Advisory Rather, it should be administered by a separate tered by the Ministry or by the Environmental Assessment of interest, the proposed fund should not be adminis-In order to avoid any appearance of bias or conflict

Exemptions, Designations and the Use of Discretion ·II

Environmental Assessment Advisory Committee. decisions should be subject to prior scrutiny by the years ago should be curtailed. Further phasing-in projects. Extensions of exemptions first given several of planning" argument should no longer be used to exempt now that the Act is seven years old, the "advanced stage With respect to phasing-in the Act in the public sector,

considered public by most people, but escape the Act broadened to include institutions that clearly would be The definition of the public sector in the Act should be

most hospitals. because they are not government agencies, for example,

by December 31, 1983. Act be made broadly applicable to this sector, perhaps the Act applicable to the private sector and that the Ontario government establish a firm timetable for making It is recommended that the Commission recommend that the

mend to the Ontario government public participation in exemption. It is recommended that the Commission recomfrom the Act and for the development of criteria for mechanism to determine which projects should be exempted sector, there will be a continuing need for a screening Even after the Act is made applicable to the private

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- b) As soon as Ministry of Environment staff become aware of undertakings that fall into a gray area between significance and non-significance, or which are clearly significant but the proponent seeks to avoid the Act on other grounds, the Ministry staff should have an obligation to notify the public of this situation and provide an opportunity for public submissions.
- c) Anyone who wishes to proceed with an undertaking either under the Act or without complying with the Act, which may have significant environmental impact, should be required to submit to the Ministry of the Environment a pre-screening document. The document should be public and notice should be given that it has been received.

If the proponent continues to take the position that his undertaking should not come under the Act, there should be a public participation before the Environmental Assessment Advisory Committee, before the Minister or Cabinet makes the final decision.

This Board or Committee should follow a fair procedure in that its proceedings are public, it makes public the submissions received by it, and its recommendations, and it gives written reasons for its recommendations in each case.

It is recommended that the Commission recommend to the Minister of the Environment and the Premier that they keep their promises to establish an Advisory Committee to replace the defunct Environmental Assessment Steering Committee, as soon as possible. The Advisory Committee should have significant public interest representation from members outside the government. Its role should include the screening of undertakings, review of regulations under the Act, and decisionmaking on requests for public funding.

- III. Streamlining the Environmental Assessment Process:
 The Consolidated Hearings Act
- 25. There is a perception, whether accurate or not, that the Environmental Assessment Act increases costs, creates delay, and creates duplication of effort. With the passage of the Consolidated Hearings Act, there is no longer any justification for delay and for attacks on the environmental assessment process on that basis.
- 26. It is recommended that the Commission recommend to the Government clarification of the Consolidated Hearings

 Act to ensure that the provisions of the Acts in the Schedule that are most advantageous to members of the public who wish a full and fair hearing are preserved under the Consolidated Hearings Act.

IV. Return to Detour Lake

27. The case of the Detour Lake Road illustrates several problems with the current environmental assessment process. With respect to these issues, the following recommendations are made:

That the Commission recommend to the Government that Ontario take a leadership role in devising and promoting a mechanism for resolving interprovincial and federal-provincial disputes on environmental issues. This mechanism should ensure that an assessment of an appropriate scope is done in a timely manner whenever an undertaking may have significant impact.

That the Commission recommend that the Government develop an interministerial mechanism for identifying a proponent and preventing delay in deciding

that an undertaking exists for the purposes of the EAA.

That the Commission recommend that the Ontario Government adopt a policy designating any private sector undertakings upon which a public sector project is contingent if the public sector project is under the EAA.

I Overview

The Environmental Assessment Act creates an evaluation and approval process for all undertakings by the public sector (except those which have been exempted) and for private sector projects which have been specifically designated. This process requires the production and acceptance of an "environmental assessment" document prepared by the proponent. Once the environmental assessment document has been accepted, the Minister of the Environment may grant approval to proceed, with or without conditions, or he may refuse approval to proceed. In making this determination, the Minister or the Environmental Assessment Board is required to give consideration to the purposes of the Environmental Assessment Act, the environmental assessment document and any submissions made to the Minister in respect to the environmental assessment (Section 14(2) and (20)).

Consequently, the environmental assessment document is critical in this process of evaluation and approval. Clearly an environmental assessment document is a planning tool, but beyond that its precise meaning has yet to be defined by actual practices. When government officials, developers and public interest groups refer to an environmental assessment, they may not have a common concept in mind. Before consensus is reached concerning this concept, it will be necessary to determine whether the environmental assessment document should be merely;

- (a) an information gathering device, or
- (b) a decision-making tool which is discretionary, or
- (c) a decision-making tool which carries legislative duties.

Basically, an environmental assessment document is the collection and analysis of data about the potential impacts

of a project. It has no action-triggering mechanism requiring anyone to act on the basis of the information collected or conclusions reached. Thus, when used to describe this kind of study, the term "environmental assessment" implies no obligation on the part of the proponent of the project, the licensing or approving agency, or the agency responsible for regulating operation of the project, to take any action to avoid, eliminate, or mitigate potential negative impacts identified in the assessment document. The object of such assessment is merely the identification of impacts.

It is important to note that the term "environment" is given the broadest definition under the Act to include:

- (i) air, land or water,
- (ii) plant and animal life, including man,
- (iii) the social, economic and cultural conditions that influence the life of a man or a community,
 - (iv) any building, structure, machine or other device or thing made by man,
 - (v) any solid, liquid, gas, odor, heat, sound, vibration or radiation resulting directly or indirectly from the activities of man, or
 - (vi) any part or combination of the foregoing and the inter-relationships between any two or more of them.

A senior environmental planner in the Ministry of the Environment has put the purpose of the Act in perspective. He has commented that:

"Environmental assessment is not intended to make natural environmental factors paramount. Rather, it is intended to see that they are given fair weight and consideration in the decision-making process. Perhaps the intent of the legislature might have been clearer had the statute been entitled, not the Environmental Assessment Act but "The Decision-Making Act". 1

From the foregoing, it is clear that the Environmental Assessment Act envisages an environmental assessment that is not only an information-gathering device (Section 3), but also, a decision-making tool which is discretionary (Sections 14 and 20). In this regard, the Minister or the Environmental Assessment Board is required to consider:

- (a) the purpose of the Act (Section 2, "the betterment of the people...by providing for the protection, conservation and wise management... of the environment");
- (b) the environmental assessment;
- (c) the submissions with respect to the environmental assessment.

However, there is no duty per se to avoid, prevent or mitigate adverse impacts. Furthermore, there are no environmental standards, criteria or policies of protection with which the decision maker must comply when deciding to approve an environmental assessment document and/or an undertaking. Approval decisions may indeed produce a pattern of environmental protection. Unfortunately, the Act also allows for the opposite possibility - a pattern of environmental sacrifice where unlimited discretion may lead to excessive exemptions and unrestricted approvals.

Regrettably, the Act follows the tradition of allowing government and its agencies almost unfettered discretion to make decisions about development and resource extraction in what they consider to be the public interest, without reference to rights, standards, guidelines or articulated policies. It is too early to judge whether this exercise of discretion will favour environmental protection, or the economic benefits of development. However, when one considers the experience to date, there is an established practice of

granting exemptions from the Environmental Assessment Act. This evidence suggests that this discretion will not be exercised to favour environmental protection and public participation. We will discuss the exemption process in greater detail in Section IV. The concern about exemptions is noted here to demonstrate how unfettered discretion can undermine the environmental assessment process.

At the time of proclamation of the Act, Ontario Regulation 836/76, as amended, exempted thirteen Ministries entirely from the provisions of the Act. Furthermore, the regulation contained "grandfather" clauses exempting certain undertakings from the Act on the basis that they had already reached advanced stages of planning or construction. Finally, municipal undertakings were exempted, with the stipulation that they would be brought back under the Act at some time in the future. This was done in October 1980. By March 1980, the Minister had exempted approximately 170 specific undertakings over and above those dealt with in the sweeping exemptions contained in the regulations.²

Combined with the use of "class" assessments, this system of Cabinet regulation and Ministerial orders has led one author to conclude that, "it is not surprising that the public has described the Environmental Assessment Act as 'all show and no go'". 3

While the Act applies to essentially all public undertakings unless they are exempted, it does not apply to private sector undertakings unless they fall within Section 3(b) and Sections 41(c) and (d). The Act created a three-step procedure for designating private undertakings. First, Section 3(b) had to be proclaimed in force. This occurred

in October 1976. Secondly, a specific day had to be designated by the Cabinet. This was done in January 1977. Finally, before a specific enterprise can be assessed, the Act requires a regulation defining the enterprise or class of enterprises to which it belongs as "major", and designating the enterprise or the class as one to which the Act applies (Sections 41(c) and (d)). As a result of this rather arduous set of preconditions for private assessment, a few private projects have been designated for environmental assessment to date.

These decisions to grant exemptions or to designate private sector projects are made without the benefit of formal criteria and guidelines or public input. The only restriction placed on the Minister's power to grant exemption orders is that, in the Minister's opinion, it must be "in the public interest, having regard to the purpose of this Act, and weighing the same against the injury, damage or interference that might be caused to any person or property by the application of this Act to any undertaking..."

Section 30). In reviewing the overall climate of discretion created by the Act, one group of authors has concluded that;

"...the staff (and the Minister) decide on designations, exemptions and the initial interpretation of key words and phrases such as 'in the public interest'. There are no firm guidelines to guarantee that large, obviously significant, undertakings will be assessed...

While discretion is in itself a necessity in such a complex administrative process as environmental impact assessment...we are concerned here in general with the abuse of discretion, particularly with political expediency. Few would argue that the government should have no discretionary right to exemption from the process, particularly...in 'emergencies'. In Ontario the exemptions are much broader. Almost any exemption can be justified as being 'in the public interest', particularly if public interest is equated with the interest of the proponent and his customers.

There is clearly a point at which the legitimate use of discretion crosses the line into political manipulation, and it is that abuse of discretion in the the process, particularly in Ontario, that concerns us. The excessive use of discretion is, in our opinion, one of the most prevasive and persistent problems in the environmental impact assessment. Discretion has tended to be the by-word in all provincial assessment processes." 4

In some quarters, this legislation has been referred to as "The Environmental Exemptions Act".

When discretion has been exercised constantly to free undertakings from the requirements of the Act, how is the public to have faith in the use of discretion in relation to the acceptance of an environmental assessment and the granting of approval? The designers of assessment procedures must recognize that the identification of impacts is not enough. The creation of a discretionary decision-making process is not enough. The continual non-application of the Act is surely not enough. It is necessary to consider the reasons for designing a process through which impact may be identified, namely, the need to provide a mechanism for conflict resolution and the need to protect the environment.

In development situations, rights, needs and interests of proponents and affected parties are often in conflict. The government and proponents often wish to deny the reality of this conflict. From their point of view, an informational environmental assessment process is preferable to a decision-making one, because the former need not incorporate adversarial procedures which can be costly, time-consuming and sometimes rancorous. It is easier to hope that the conflict will disappear once "objective" information about a project and its consequences is made available to all. However, the

denial of the existence of opposing interests is unlikely to eliminate such conflicts. It is much more likely to delay it or displace it to a different forum. We submit that a useful process must be a conflict-resolution and decision-making process.

This process will have to take into account the need to reduce the discrepancy between the resources and power available to the proponent and to the opponent of development, while resolving conflicts in a manner viewed as fair. Thus, an assessment process must incorporate a combination of cooperative and adversarial forms of public participation at appropriate stages in the decision-making process. Members of the public who question a project are likely to perceive any attempt to remove adversarial proceedings as an attempt to take away their right to a fair process.

The success of the environmental assessment process in the North will be determined largely by the extent to which the process incorporates public participation. Since intervenors are likely to take environmental protection positions, their role will cause the process to evolve towards environmental protection. Therefore, the more open to public participation the process is, the more it is likely to evolve into a meaningful, decision-making and environmental protection mechanism.

Participation in the environmental assessment is costly to concerned members of the public. Normally the public has the least resources available. They are unlikely to spend time, energy, and money on a purely informational process, or on a process in which their effectiveness is continually undercut by purely discretionary decisions, which are vulnerable to political influence.

If intervenors perceive their participation as tokenism that is, if they detect that their evidence and opinions
are not used in making the decision - they will tend to
reject the process. If this occurs, they may become
alienated from the assessment mechanism and look for
other less productive methods of obtaining their ends.
In the alternative, they will demand that the information
they have provided be used as a basis for decision-making.

For public interest groups to consider their participation meaningful, it must be structured to ensure that it may affect the outcome of the decision-making. An effective process requires that each of the parties making representations has a reasonable chance of success and that the procedures used are fair. The intervenor will evaluate the cost effectiveness of this participation. To be effective, an intervenor must be in a position to understand, evaluate and test scientific information presented by the proponent. To make this possible, public funding must be available to intervenors.

Public participation at the pre-submission stage in the decision-making process may bring forward alternatives and opinions that will help the proponent to rule out completely unacceptable choices. This involvement also may generate improvements in the proposal which will prevent, eliminate, or mitigate unnecessary adverse impacts on the environment. In some cases, compromise or consensus may be reached between the parties. The issues which need to be resolved through an adversarial approach may be narrowed.

However, where differences still remain after other forms of public participation have taken place, an effective

decision-making process will be needed. In this process opposing views can be exposed, and assessment data can be tested and evaluated before a neutral third party. An effective environmental assessment process will have to incorporate this process of negotiation or adversarial proceedings which recognizes and attempts to resolve remaining conflicts.

The issues raised here - the problem of excessive discretion, the need for effective public participation and public funding - will be examined in detail in the following sections. We will also review the Consolidated Hearings Act and it's implications for the key issues raised in this report. Finally, we will return to Detour Lake, using the Commission's case study to further identify and underline areas for reform of the Environmental Assessment Act.

The Evolution of the Environmental Assessment Act

A. A Brief History of the Canadian Environmental Law Research Foundation

The Canadian Environmental Law Research Foundation was founded in 1970, along with the Canadian Environmental Law Association, by a group of lawyers, scientists, and conservationists. The Foundation conducts and supports research into the use of the legal system and legislation to promote sound environmental planning and halt environmental degradation. It sponsors research into legal reforms, improvements in government decision-making and policy formulation on environmental matters.

In addition to submitting briefs to government agencies, taskforces, and Royal Commissions, CELRF has published a number of
books on Canadian law and policy, including Environmental
Management and Public Participation, Environment on Trial, and
Protection of Natural Areas in Ontario; Private Ownership and
Public Rights. In association with other publishers, CELRF
has produced Poisons in Public, A Study of Environmental Contaminants and Environmental Rights in Canada. In addition,
CELRF publishes the only environmental law reporter in Canada,
the Canadian Environmental Law Reports.

CELRF works closely with the Canadian Environmental Law Association, a community legal clinic supported by the Ontario Legal Aid Plan. CELA provides legal advice and assistance to members of the public who could not otherwise afford to enforce their environmental rights, and acts as an environmental "watchdog", frequently bringing potentially harmful industrial and government practices to the attention of the public and authorities.

B. CELRF and CELA's Involvement in Environmental Impact Assessment

CELRF and CELA have promoted the concept of environmental impact assessment since their inception. Their role in informing the Canadian public about the importance of this planning tool and in helping to shape existing environmental assessment legislation, policies and practices in Ontario has played an important part in the history and the realization of this concept in Ontario.

In 1971, during the debates leading to the passage of the Environmental Protection Act, CELRF pointed out that:

"The provisions of the Bill providing the tools of control orders and stop orders for serious cases of pollution do not appear to contemplate remedies to avoid anticipated future emissions, additions or discharges of contaminants. These tools are fashioned for present acts of pollution. If the Director is aware of present actions that will ultimately cause an illegal source of pollution, he should have the power of prevention as well as the power of cure." 5

It was this failure of the Environmental Protection Act to provide for a preventive planning mechanism, as well as the lack of public participation in environmental planning, that the Environmental Assessment Act was intended to remedy.

CELRF pointed this out in its comments on Bill 94.

In January of 1972, CELRF recommended that:

"CELRF asserts that when any government department or agency proposes a work, undertaking or project which may detrimentally affect environmental rights, it be required to publish an environmental impact statement. The environmental impact statement must contain full disclosure of the probable environmental transitions likely to occur as a result of proceeding with the work, undertaking or project and must be published in a reasonable period of time prior to its commencement.

CELRF proposes that if an environmental impact statement is not forthcoming, or is deficient in detail, then any ten members of the public shall be at liberty to maintain an action for mandamus compelling the issuance of an adequate environmental impact statement in addition to injunctive relief, preventing the commencement of any work thereupon." 6

Also in 1972, CELRF adopted a resolution to work for the passage of an environmental Bill of Rights in every province of Canada, an essential component of which would be environmental impact assessment.

In the years leading up to the passage of the Environmental Assessment Act, CELRF and CELA members made frequent speeches in support of legislation for Ontario similar to the National Environmental Policy Act in the United States. NEPA was hailed as model legislation on environmental assessment.

When the Ontario Ministry of the Environment published a Green Paper on Environmental Assessment in 1973, the Canadian Environmental Law Association responded with the 46-page "White Paper". 8 CELA's new criticism of the Green Paper centered on the view that the provisions were subject to excessive government discretion and susceptible to political manipulation. We recommended an independent Environmental Review Board similar to the present Environmental Assessment Board. CELA staff members toured the province of Ontario speaking to community groups and the media, and gathering support for a process which provided more public access to information, more public participation, and less discretion than contemplated by the Ministry. CELA appeared before the Standing Committee during debates on the Bill, and ultimately, many of CELA's recommendations were incorporated into the final legislation. However, the problem of excessive discretion was not mitigated, and it is one of the key issues which we will deal with in this report.

Following the passage of the Environmental Assessment Act, CELA continued to monitor the Act's progress. Many members of the public were disenchanted with the government's slowness in bringing municipalities under the Act, the failure to bring private sector undertakings under the Act, and the many exemptions granted to government undertakings with significant environmental impact.

CELA has continued to provide leadership and to attempt to influence government on these issues. In the fall of 1981, CELA provided legal assistance to a citizen who prosecuted the Minister of Transportation and Communications for the province of Ontario, and his Deputy-Minister, for violating the Environmental Assessment Act. This report is another example of our commitment to help shape and strengthen the EAA.

C. A Brief History of the Environmental Assessment Act

In 1972, the government of Ontario announced in the Speech from the Throne that it would introduce legislation to provide for environmental impact assessment. The government decided that the Minister of the Environment would introduce this legislation and would be responsible for administering it. It was envisioned that the legislation would take the form of an amendment to the Environmental Protection Act.

In order to "test the waters" before introducing this legislation, the Ministry of the Environment issued a Green Paper and invited public comment. The Green Paper was a thoughtful and perceptive document. It laid out clearly the need for advanced planning and the philosophy behind such planning. Although proposing to begin only with assessment of government projects, the Ministry said that ultimately the process would include private sector projects. The Green Paper suggested that the government would provide a timetable for phasing-in of the application of the assessment procedure, first to government and then to private projects.

The Ministry recognized that evaluation must extend beyond solely physical consequences of development, and also look at the social and economic impacts.

The Green Paper recognized that some projects would fall into a "grey area" between activities clearly having a significant effect on the environment and activities having an insignificant effect on the environment. It proposed that some screening mechanism would be needed to deal with these "grey area" projects.

Two areas of discussion in the Green Paper gave environmentalists particular cause for concern. The first was the danger that this screening mechanism would be entirely discretionary, with no meaningful procedure for review or appeal. Environmentalists were concerned that entire classes of projects might be exempted from the environmental assessment requirement by regulations made by the Lieutenant Governor in Council. This procedure would permit no prior scrutiny by the public or by the legislature. Secondly, in suggesting several alternative approaches to environmental assessment, the Green Paper clearly implied a Ministry bias against review of the environmental assessment document and the acceptability of the project by an independent body. The Ministry felt that such a body would be unaccountable to the legislature and that it might misinterpret or alter "government policy".

The Ministry of the Environment was taken aback by the extent and intensity of the public response to this Green Paper. While it had wanted to gauge public opinion, it had not anticipated that environmental impact assessment would be of such great interest to the public. 10 The Ministry received numerous submissions, many of them expressing concerns similar to those raised by the Canadian Environmental Law Association, about the potential for political interference in the process, inadequate participation, and unjustified exemptions from the process.

Although the Ministry had solicited public views, it was reluctant to make public the responses it received. Only after several requests by the Canadian Environmental Law Association for access to these public submissions did the Ministry agree to release them. This secrecy did very little to enhance the trust of the public in the government. When the Ministry finally did make these submissions available, an analysis by the Canadian Environmental Law Association made it clear that the majority of submissions were supportive of the concept of environmental impact assessment and reflected many of the same kinds of concerns as CELA's "White Paper". A dichotomy between the views of environmentalists and the general public as to how an environmental impact assessment process should be designed, and that of the government, was quickly becoming apparent.

The Ministry of the Environment was very reluctant to introduce legislation which placed any restrictions on the right of the government to by-pass the environment impact assessment process at will. It was equally reluctant to delegate any control over the process or decision-making power to any agency outside of the Ontario Cabinet or its individual Ministries.11

The reasons for this are clear. First, the Ministry of the Environment did not feel that it had sufficient staff to review all significant projects. In order to avoid an overload that could result in embarrassing errors or omissions that might hurt the credibility of the process in its formative stages, the Ministry chose instead to control the workload. Secondly, the government, probably quite rightly, feared they would face a concerted effort by municipalities and private industry to defeat or undermine the legislation, if those sectors were to be immediately subject to it. Thirdly, even if the legislation were initially limited to government—initiated undertakings, the Ministry of the Environment felt that it had to have the ability to placate other government ministries by exempting projects to which they were strongly committed, in order to obtain their support for the legislation.

The reason for the Ministry of the Environment's concerns is apparent from the structure of the Act. First, the Act defines environment to include not only the natural environment, (over which the Ministry of the Environment has primary jurisdiction) but also social, cultural, and economic matters, over which other ministries would otherwise have exclusive jurisdiction. Secondly, the Act gives one Ministry, a relatively "junior" Ministry of the Environment, a partial veto over the expenditures and projects of all other government ministries.

Environmental groups demanded that all projects of significance should be subject to the Act; that exemptions should be subject to public scrutiny and review; and that safeguards against political manipulation of the process should be built into the legislation. These demands quickly found support from municipalities, consumer groups, civil liberties associations, and the media.

The Ontario government had expected praise for its promise to pass environmental impact assessment legislation. Instead, it was now aware that if it passed the discretionary legislation it envisioned, it would receive much more criticism than support from the general public. On the other hand, if it were to pass legislation that would guarantee assessment of all significant projects except under exceptional circumstances, and reduce the discretion of the individual government ministries, the government would face substantial pressure from municipalities, industry and provincial Ministries. The Ministry of the Environment would become isolated within Cabinet.

Due to these circumstances, there were several delays in introducing legislation. The Minister of the Environment and the Premier stated on several occasions, publicly and privately, that the legislation would be introduced shortly, but it was not introduced. Ultimately, a senior official of the Ontario Ministry of the Environment telephoned the Executive Director of the Canadian Environmental Law Association to explain to him that if CELA continued to exert pressure for the kind of legislation it wanted, no legislation would every be introduced. Undoubtedly, this official did not mean this as a threat. He likely hoped to gain the support of the Association in introducing legislation which, while seriously flawed in the eyes of environmentalists, would be better than no legislation. However CELA, feeling strongly that the safeguards demanded by the public were a matter of principle from which it could not retreat, felt that only one choice was available to it. The following day, CELA called a press conference announcing that it had been informed that if it did not back down on its demands, there would be no environmental impact assessment legislation.

Soon after this, on March 24, 1975, the government introduced an environmental impact assessment bill for first reading. As it stood at first reading, the Act would have required environmental impact studies on activities, whether public or private, only after regulations were made bringing them within the Act. The Act would not apply to any project until it was designated by regulation. Public hearings would be held only if the proponent or Minister demanded them. The public had no right to hearings.

The teeth of the Act would therefore have been in the regulations but the Act contained no timetable for implementation. Both the Act and the the Minister, William Newman, were silent on whether the public would have any opportunity for input into the eventual content of these regulations.

The Act as it was stated for first reading recognized no right of the public to notification of a proposed undertaking, to access to information, to hearings, to court appeal or judicial review of a decision, and no right to enforce the provisions of the Act when the Government would not.

The Act did establish an Environmental Assessment Board. However, the Board would have no power to make decisions, but would only make recommendations to the Minister. The rules of natural justice codified in the Statutory Powers Procedure Act would not apply in hearings before the Board. In other words, the government had rejected many of the recommendations of the public.

After considerable lobbying by citizen groups and critical review by the media, the Act, with numerous amendments, was tabled for second reading. The amended Act would apply to all public sector activities unless they were exempted by regu-

lations. The Act would still not apply to the private sector unless an area of private enterprise were designated by regulation. The Minister announced that all municipalities would be exempted and would be brought under its provisions at a later time. He refused to incorporate any time frame for implementation into the Act, but he made a policy statement in the Standing Committee on Resources Development on July 3, in which his stated intention was that the Act would apply to all undertakings, public or private, within eighteen months. Of course, this never happened.

The amended Act gave the Environmental Assessment Board the status of a decision-making body. The public was given the same right as the proponent to require a hearing, although the Minister had absolute discretion to deny a hearing if he deemed the request frivolous, vexatious, causing undue delay, or unnecessary. Parties to the proceedings were redefined broadly to include any person who "required" a hearing. The amendments required the Minister to give wider notice of hearings, and some access to information.

Between first and second readings, the Deputy Minister of the Environment, Everett Biggs, had addressed the Provincial-Municipal Liaison Committee about the Act. He had advised the representatives of Ontario's municipalities that although there had been considerable pressure to bring all projects under the Act unless exempted, the Ministry intended to continue with the procedure of bringing nothing under the Act unless specifically designated. For some reason, the Ministry partially reversed its stand between first and second readings and made all public projects subject to the Act unless exempted.

There is no doubt that inclusion of all public undertakings, unless exempted, created administrative difficulties for the Ministry. Politically, it felt that it had to exempt many government projects, although in theory they were subject to the Act. It proceeded to produce hundreds of pages of exemptions. Entire classes of projects were exempted. All the projects of entire Ministries were exempted.

Implementation of the Act, even for the public sector, came very slowly. Three years after the Act had been passed, only five environmental impact assessments were being prepared. Not one of these assessments had been completed. No public hearings had been held. It took five years for the first public hearing to be held.

If the Ontario government has a lack of commitment to its own legislation, and this is CELA's strongly-held view, this brief history may help to explain this lack of commitment. The Ontario government never wanted the kind of environmental assessment legislation it now has. It passed it reluctantly, and since then has done everything under its power to avoid following its spirit. If we may take the liberty of speaking metaphorically, in a sense the Environmental Assessment Act can best be understood as an illegitimate child. Its mother was the environmental movement in Ontario. Its father was the Ontario government, which has only very reluctantly accepted responsibility for its paternity.

D. A Description of the Environmental Assessment Process

The following is a point-form description of the steps in the environmental assessment process. We have indicated both the formal requirements of the EAA and the informal policies and practices of the Ministry of the Environment in administering the Act. This description will serve as a reference point when we make specific recommendations later in this report.

- Through informal correspondence or meetings, the Ministry is informed of the proponent's intention to undertake a development.
- 2. If the proponent is a public body (e.g.: a government agency or municipality), the project is automatically designated unless the Minister decides to exempt it. If it is a private undertaking, the project is not subject to the Act unless the Minister designates it. This decision is taken. These regulations and exemptions are published in <u>EA Update</u> and the <u>Ontario Gazette</u>. The following steps apply only to projects which are under the Act, or have been designated under the Act.
- 3. The proponent is strongly advised to involve interested and affected parties, including government agencies, in public participation at this stage. This is described in the Ministry's publication, Guidelines for Pre-Submission Consultation. The decision to engage in public participation at this early stage and the form it takes is totally at the discretion of the proponent. The Ministry is trying to encourage the concept.
- 4. There are <u>General Guidelines</u> available to assist proponents in preparing their EA document. Occasionally the Ministry

issues project-specific guidelines, but more often the specific requirements of the EA are worked out informally, through a series of meetings between the proponent and Ministry staff. If specific guidelines are prepared, they are published in EA Update and the Ontario Gazette. This is the first public notice of the undertaking. The case is assigned a file number.

- 5. The proponent prepares his environmental assessment (EA) document and upon completion submits it to the government. The EA document is the equivalent of an application for permission to proceed with the undertaking. The EA document becomes a public document.
- 6. The Minister is required to give notice of the receipt of the EA document to the proponent and to the clerk of the municipality in which the undertaking will be carried out. Notice to any other persons is discretionary. However, it is the practice of the Ministry to attempt to inform interested and affected parties at this stage.
- 7. Notice that the proponent's EA document has been received is published in the EA Update.
- 8. Staff of the Ministry's Environmental Assessment Branch co-ordinate a review by various government agencies of the proponent's EA document.
- 9. Notice that the government review (GR) is being conducted is published in <u>EA Update</u>. The proponent can amend or withdraw his proposal or amend his EA document at any time up until the completion of the GR.
- 10. The government review is completed. Both the EA and the GR are made public, and notice that they are available for inspection is published in EA Update.

- 11. The Minister is required to give notice of the completion of the government review and the locations where the EA and GR may be inspected. This notice must be given to the proponent and to the clerk of the municipality in which the undertaking will be carried out, but notice to any other persons is discretionary. However, it is the practice of the Ministry to attempt to inform interested and affected parties at this stage.
- 12. There is a 30-day waiting period during which any member of the public may inspect the EA and the GR at the Ministry's Toronto office or at the regional or district office closest to the site of the undertaking. The Minister can extend this limitation period at his own discretion. No decision on the project can be made, and no work can be commenced until this 30-day waiting period has expired.
- 13. At any time during this 30-day period any member of the public may "require" the Minister to hold a public hearing on the proposed undertaking. Unless the Minister deems such a request to be frivolous and vexatious, or feels it would cause undue delay, he is obliged to have the Environmental Assessment Board (EAB) hold a hearing.
- 14. At any time during this 30-day period any member of the public may make a written submission dealing with the proposed undertaking, the EA and the GR. The purpose and requirements of such a written submission are unclear. At present, the Ministry and EAB do not make a written submission a prerequisite to acceptance of a request for a hearing, or to a grant of full party status if a hearing is held. This is a matter of policy, as there appears to be no statutory right to a hearing or to status without first making a submission. Under the Act, any person who

makes a written submission is entitled to be served all notices, and any person who requests a hearing after making a submission is automatically given full party status. The written submission is required to be served on the EAB only.

- 15. If there is no request from the public for a hearing, the Minister can order a hearing at his own discretion. Where a hearing is not required and the Minister accepts the proponent's EA document, the Minister must give notice of this to the proponent and to any person who made a written submission.
- 16. If a hearing is not required and the Minister finds the EA document unsatisfactory and proposes to amend it, he must give notice of this, together with written reasons regarding the amendments, to the proponent and to any person who made a written submission. The Minister may then receive further written submissions from the proponent and any other person. Then the Minister can accept, or amend and accept, the EA document. He must give notice of this to the proponent and to everyone who has made a written submission.
- 17. If the Minister finds the EA document deficient, he can require the proponent to carry out further studies. The Minister must give notice of this to the proponent, together with written reasons. Notice of the order must be given to everyone who has made a written submission.
- 18. If the Minister finds the EA document acceptable, and no person has required him to hold a hearing, the Minister may, with Cabinet approval, accept the project.
- 19. The Minister may, in his own discretion, require the Board to hold a hearing.

- 20. The Minister can ask the Board to hold a hearing on any or all of the following aspects:
 - (a) the adequacy of the EA document;
 - (b) whether approval for the undertaking should be given;
 - (c) whether approval should be subject to terms and conditions.

Thus, the Minister could accept the EA document and have the EAB hold a hearing dealing only with the issue of approval.

- 21. The Board is required to give "reasonable notice" of the hearing date to the proponent and the Minister. The Board must also give notice to the public and to any person who has made a written submission to the Minister. The Minister may direct the Board to give notice to others, or the Board in its discretion may give further notice.
- 22. The parties to the hearing are the proponent, the Minister of the Environment if he requests status, and any person who has required a hearing. Granting party status to any other persons is at the Board's discretion.
- 23. Copies of the "full public record" are available for inspection at the Ministry's Toronto office and at the Ministry's regional or district office nearest the location of the undertaking.
- 24. The full public record consists of:

"the environmental assessment, the official review, any written submissions, any decisions of the Environmental Assessment Board and the Minister of the Environment, the various notices and any order of the Minister under the Act."

However, the Ministry, at its own discretion, may or may not include the following documents: background studies, studies relied on in either the EA document or the GR, correspondence between the proponent and the Ministry, Ministry memos on the project, the positions taken by individual members of the GR team (which may conflict), and positions taken by other government Ministries. The EA must list all studies and reports relied on, but the Act imposes no similar requirements on the GR.

- 25. The Board may order that copies of the EA document and the GR be made available at other depositories such as schools, libraries, municipal offices, post offices, etc.

 This is at the Board's discretion.
- 26. Although the EAB is not required to provide discovery procedures, the Board announced in 1981 that it would require advance filing of witness statements and exhibits, and that it will require the exchange of interrogatories and will encourage motions for directions.
- 27. There is no requirement that the Board hand down a decision within a certain time period after the completion of hearings.
- 28. Only members of the Board present at the hearing can participate in the decision.
- 29. The Board may appoint a class representative, but this does not exclude other members of the class from taking part in the proceedings at the Board's discretion.
- 30. The Board must give a copy of its decision with written reasons to the Minister, the parties, the clerk of the affected municipality, and any person who made written submissions.

- 31. The Board is not subject to any form of judicial review for any of its actions other than acting outside its jurisdiction.
- 32. The Board can hold <u>in camera</u> hearings at its own discretion.
- 33. Within 28 days of receiving a decision of the Board, the Minister, with the approval of the Cabinet or designated Ministers, may vary the decision of the Board, in whole or in part, or order a new hearing. In doing so, he must give public notice with reasons.

Public Participation

A. Pre-Submission Consultation

Pre-submission consultation refers to a process of consultation which takes place before the proponent submits his environmental assessment document to the Ministry of the Environment. The consultation takes place between the proponent and the government reviewers and other government agencies, and between the proponent and concerned or affected parties such as municipalities, organizations, ratepayers and individuals.

Formal Provisions

The EAA places no statutory requirement on the proponent to consult with the government or any other party before submitting the EA document. While one could argue that such consultation is implied and necessitated by other requirements of the Act, there is no legal duty on the proponent to provide participation at this stage.

However, the Ministry of the Environment has issued two documents which urge pre-submission consultation:

General Guidelines for the Preparation of Environmental

Assessments, 2nd Edition, January 1982, and Guidelines for

Pre-Submission Consultation, September 1981.

The General Guidelines introduce the section on public participation by stating, at page 31,

"The early involvement of the public in decisions which affect its interests, is increasingly becoming recognized as a citizen right in a democratic society. It has an important role to play...as a means to a more equitable and effective policy planning process."

The document goes on to "strongly advise" the proponent to involve the public in the planning process which leads to the preparation of the EA document, arguing that the proponent "is likely to be on firmer ground if evidence can be presented of previous consultation with those likely to be affected".

In fact, this statement may be misleading. Public participation by the proponent at this stage could have two outcomes. If the proponent is indeed open-minded, flexible and willing to make accommodations to mitigate the problems of those affected by the undertaking, and if there is no serious fundamental opposition to the project, then the statement is true. However, if the proponent is not willing or able to solve the problems of the affected public, and/or there is serious opposition to the project, public participation at this stage may well have the effect of organizing and strengthening opposition to the project. Many proponents are well aware that public participation is a double-edged sword which they would much rather leave untouched. Therefore, we expect proponents will be reluctant to engage in pre-submission consultation.

The <u>General Guidelines</u> go on to list other advantages of early public participation, such as providing data on public attitudes towards the project, highlighting concerns before they lead to confrontation, and the benefit of alternative suggestions from the public. The document also warns, in this section, that the public has the legal right "to require the Minister to have hearings by the Environmental Assessment Board".

The <u>Guidelines for Pre-Submission Consultation</u>, prepared by the Ministry of the Environment, further emphasize the importance of consultation at this stage, and set out a number of sound and practical steps for the proponent to take in the process.

The Introduction to the document explains that Cabinet has directed the Ministry "to pursue a vigorous policy focused on pre-submission consultation". These Guidelines address both proponents and "participants", the latter including "government reviews at all levels, affected groups and organizations and members of the public". Regarding the purpose of pre-submission consultation, the document states,

"These guidelines are based on the premise that concerns which may arise in the formal review process under the EAA can be addressed and eliminated or minimized in advance of formal submission."

It is suggested that,

"By following these principles, a proponent can increase the level of certainty with which the outcome and timing of the formal review process can be predicted."

For the participants, the Guidelines state that they,

"...should find the proponents are much more willing to modify or even drop a proposal at this early stage than they are...later...when considerable investments have been made in detailed design and engineering."

The principle behind this advice is that it is much easier to identify and resolve conflicts at a very early stage, before the proponent has made a large investment in following

a particular plan, and before any affected parties have developed an opposing stance. That is a very sound planning principle, and should be supported fully. The only difficulty with these Guidelines is that they are discretionary, and they put all of the onus on the proponent, and they may simply be unrealistic.

Acknowledging that not <u>all</u> conflicts will be resolved by this process, the Guidelines argue that pre-submission consultation will still be beneficial because it will serve to identify the really important issues on which the EA document should focus.

To ensure early consultation, the Guidelines urge that consultation begin "when the proponent has a general idea of the alternative undertakings...and the geographical area which might be affected. Early participation is emphasized again, under the heading "Timeliness":

"...the proponent is expected...to commence consultation at an early enough stage in project planning for the opinion and advice of the reviewers and other participants to have an influence on the go/no go decision and on the selection of alternatives. Unrealistic time frames or deadlines undermine the effectiveness of the process."

The Guidelines also indicate that the documents related to the pre-submission consultation will become part of the Public Record files on the case maintained by the Ministry.

Discussion

The Ministry of the Environment is to be commended for this effort to design a process which will truly involve the government and the public in decision-making with respect to environment assessment.

The Guidelines for Pre-Submission Consultation are very carefully thought out and clearly explained. They indicate a broad acceptance of citizen involvement, and a good understanding of the drawbacks and limitations of the adversarial process which emerges at the hearings stage. The recognition that pre-submission consultation would give the proponent an opportunity to change or amend his plans to reflect the needs and concerns of government reviewers and other participants, is insightful. This document envisions a co-operative planning process which involves the proponent, the government and affected parties working together in good faith, united by a common goal of sound environmental planning.

Were these Guidelines to be followed, a good deal of the actual decision-making would take place in the pre-submission stage. The early and broad decision-making would take place within a process that is initiated and controlled by the proponent; within a process that is totally discretionary and confers no rights or duties on any of the parties, including the proponent; and within a process that has no formal legal practices or procedures. Is this desirable?

The arguments in favour of pre-submission consultation are compelling. However, because proponents recognize the "double-edged" nature of public participation, and because neither government nor private industry is accustomed to "letting outsiders into the Board Room," it may be naive to expect proponents to engage in pre-submission consultation.

We do not have a co-operative planning process because the goals of affected parties frequently conflict with the goals of proponents. To expect a proponent to voluntarily let a potential opponent into the Board Room in the very early planning stages is simply unrealistic.

In an attempt to still serve many of the very commendable objectives of pre-submission consultation, we would like to recommend a series of procedural changes designed to involve the public at an earlier stage, but still recognize the realistic limitations of public access to the proponent's decision-making process. The procedural changes we recommend are described in the following parts of this section.

B. Notice

Our concerns regarding pre-submission consultation may best be resolved by changing notice procedures. Presently, no public notice is required until after the proponent has formally submitted an environmental assessment document and the Ministry has prepared its review. If there is no public notice until this rather late stage, the effectiveness of public participation is severely limited. There is also the danger that when the environmental assessment and the review are simultaneously presented as finished documents, the public may tend to perceive the decision-making process as a secretive one in which the proponent and the Ministry act in concert without the benefit of public input or scrutiny.

Thus, we propose that the following amendments be made. For every undertaking which is under the Act, project-specific guidelines should be drawn up. When the Ministry is about to draw up these guidelines, it should give notice to

interested and affected parties, inviting their input on the content of the project-specific guidelines.

Since this would be the initial notification, the notice would be widely publicized in order to contact all potential parties. Although the exact method of achieving wide distribution would depend upon the nature of the undertaking, notification should include advertisements in the local media. In terms of content, the notice should include information concerning the proponent, the proposed undertaking, the anticipated schedule for the project, and directions concerning what citizens can do to become involved. The parties who respond to this first notice should be sent copies of the specific guidelines at the same time as they are sent to the proponent. Then, if these concerned citizens have strong views about adding to or amending the Ministry's guidelines, they may make such submissions to the Ministry and it can pass these concerns along to the proponent.

In some instances, this public input would result in early modifications to the guidelines and the proponent would ultimately enjoy substantial savings. It is clearly more cost effective to expand the initial environmental assessment study than to find it necessary to undertake further studies after it is completed or even later in the process. Both the notification concerning drafting of the specific guidelines and the final version of the guidelines should be published in the EA Update.

The second point of notification should occur as soon as the environmental assessment document is submitted to the Minister. Once again, this notice should invite written

submissions within an established deadline. This notification should not be delayed until the government review has been completed, because some of the ideas and viewpoints from the public submissions may be incorporated into the government review. These public submissions should be filed along with the government review.

The third point of public notification would arise upon completion of the government review. After seeing the government review, parties would be in a position to decide whether to request a hearing.

The fourth point of notification should occur when the decision on holding an Environmental Assessment Board hearing has been taken. At this point in time, the responsibility for giving public notice passes from the Ministry to the Environmental Assessment Board. Under s.12(3), the Board is required to give reasonable notice of the time for the hearing to:

"the proponent and to the Minister and in such manner as the Minister may direct, notice to the public, to any person who has made a written submission to the Minister pursuant to subsection (2) of section 7 and to such other persons as the Minister considers necessary or advisable, and such other notice as the Board can consider proper..."

It could be argued that at this stage the Board should only be required to give notice directly to those members of the public who have been identified by the previous notice procedures. It could also be argued that for many people, it is only at the hearing stage that the proposal becomes relatively imminent and "real". Consequently, notice of the hearing should be widely distributed again and should

include advertisements in the local media. We believe that this latter argument is consistent with the need to encourage effective public participation. Furthermore, we believe that it is consistent with s.12(3) which requires the Board to notify not only those who have made written submissions, but also "the public". Had the legislature intended to limit notification to those parties who had made previous submissions, it would not have included "the public" in s.12(3).

The actual content of this notice should include the time and place of the hearing, a description of the proponent, the undertaking, the purpose of the hearing, and directions concerning the method of participation and the name of a contact person.

Under s.12(3) the EAB is merely required to give "reasonable notice". Although this discretion enables the Board to avoid unnecessary delay, by varying the notice period to reflect the complexities of a given case, this discretion is too absolute to protect the interests of all the parties. Should the Board inadvertently provide inadequate notice, a party might well seek an adjournment, creating costly delays. Furthermore, where a hearing is called, it is clear that the parties will be in serious opposition. Consequently, this absolute discretion to determine how much notice parties are given is not sufficient to ensure fairness and effective public participation.

In order to strike a balance between the advantages of flexibility and the need for procedural safeguards, we suggest that the Act should be amended to require the Board to give a minimum of 60 days' notice of hearing. The Act should also specify that any reasonable request for an extension of time will be granted if it is received within 30 days of the initial notice. Although this option for extending the notice period might necessitate issuing a second notice, it would be far easier to do that than to later face the more costly possibility of adjournments.

In addition to the statutory requirements of s.18(17) regarding giving notice of its decision, the Board should also be required to send a press release with a copy of its decision to the appropriate local media. The press release should set out the highlights of the Board's decision and the appeal procedures. This press release should be forwarded to the media after the statutory notice has been served upon the parties in accordance with s.18(17).

In the event that a person makes an appeal to the Cabinet requesting a variation or revision of the Board's decision, that person should be required to serve notice on all the parties to the hearing. In addition, the Minister should be required to issue a press release indicating that an appeal has been received. This release should include the description of the appellant and a summary of the arguments in favour of the appeal. It should be made within 3 days of receipt of the appeal and a period of 30 days should be allowed for written submissions to the Cabinet. Without these notification requirements, it is possible that an unsuccessful party could lobby the Cabinet for a variation in the decision, without the knowledge of the other parties. If an appeal is not seen to be fair and open to the public, it will cast doubt upon the integrity of the EAB, the appeal mechanism and the entire assessment process.

C. Access to Information

The integrity of the environmental assessment process and the degree of public acceptance extended to it will also be a function of access to information. If all parties have access to the same information at roughly the same time, the process will be seen as credible and equitable. We believe that the procedures adopted by the EAB with relation to pre-hearing conferences, witness statements and interrogatories are a major step forward and we commend the Board for its actions in this area.

In addition to the availability of information at the hearing stage, we must also consider the pre-hearing stage. The first documents to be made available under the Environmental Assessment Act are the environmental assessment document and the government review in accordance with s.7, ss. 1 and 2. In addition, s.32(1) requires the Minister to maintain a public record which includes:

- (1) the environmental assessment document,
- (2) the government review,
- (3) any written submission,
- (4) any decision of the Board or the Minister with reasons,
- (5) any notice accepting the assessment without a hearing (s.9),
- (6) any notice of amendment and acceptance of the environmental assessment (s.10(2)),
- (7) any notice of approval, approval subject to conditions or refusal (s.14(3)),
- (8) any notice of any variation, substitution or requirement of a new hearing (s.24(4)),

- (9) any notice to the Minister by the proponent of facts which might impair its ability to proceed with the undertaking according to any conditions imposed (s.39),
- (10) any other order of the Minister pursuant to the Act with written reasons.

On the whole, we believe that this is a thorough public record. However, we do offer the following three recommendations. First, since we have recommended that public notice be given when project-specific guidelines are formulated and that there be public input on the formulation of these guidelines, access to information should begin earlier. The finalized project-specific guidelines should be part of the public record.

Secondly, although the Act grants public access to the environmental assessment document and the government review, it does not specifically grant access to the studies and reports relied on in these two documents. In order to prepare written submissions in response to these documents, access to the background material must be made available. Consequently, we recommend that these background documents should form part of the full public record and that s.32 should be accordingly amended.

Finally, there is a need for local depositories at which copies of the full public record are available. The only statutory requirement is that the full public record be made available at the District Office of the Ministry. The Ministry is to be commended for its informal practice of making the full public record available at other local depositories such as local libraries.

In the North, however, it is often a very great distance from a reserve community to a district office of the Ministry or to a public library. Thus, we recommend that the Act be amended to include local band offices as a required depository for undertakings north of the 50th parallel.

The provisions in the Act for giving notice to the Clerk of the Municipality should be extended to include notice to the band administrator for undertakings in the North.

D. Standing

Under s.12(4) of the Environmental Assessment Act, the parties to any proceedings before the Board are: the proponent; any person other than the Minister of the Environment who has required the hearing and anyone else to whom the Board chooses to extend party status. In addition, s.18(16) gives the Ministry the power to "take part in proceedings before the Board". Finally, under s.18(15) the Board may appoint a representative to represent all other members of the class in the proceedings before the Board. However, this does not preclude participation by any other member of the class.

The Act is ambiguous as to whether any person may require the Minister to hold a public hearing and thus gain standing, or whether standing is limited to those who have both made submissions concerning the environmental assessment document under s.7 and also requested a public hearing. In practice, the Environmental Assessment Board has been very liberal in granting standing and it appears that the Board is unlikely to refuse standing to anyone unless they erroneously claim to represent a group or class of people.

Although this liberal interpretation is laudable, we believe that it is subject to too much uncertainty. If a refusal of standing were "appealed" to the courts, the courts would either refuse to review the Board's decision, on the grounds that the Board is not subject to judicial review, or they would substitute their own largely unfettered discretion for that of the Board. Although the Board must retain the discretion of granting standing to parties who are not specifically given standing in the legislation, we believe that the specific designation of standing should be defined, and defined widely.

For example, Section 12(4) should be amended to specifically grant standing to any municipality within which an undertaking is to occur, or which is to be directly affected by an undertaking. Although it is impossible to legislate every instance in which the Board should exercise its discretion in favour of granting standing, the following guidelines could be recommended to the Board as a framework for exercising its discretion. The factors that might be taken into account include:

- the extent to which the group or person could bring to the EAB a perspective or viewpoint that would not otherwise be presented;
- 2. the extent to which the potential party represents an interest that would otherwise remain unrepresented;
- 3. the ability of the person or group to contribute to the Board's understanding of the undertaking and of the interests affected by it.
- 4. the group's previously demonstrated interest in the matters at hand.

On balance, we believe that the Board has demonstrated its willingness to grant standing to appropriate individuals and groups. Under the Environmental Protection Act and the Ontario Water Resources Act, the Board has already developed a guideline to grant standing to participants who do not seek full party status. We are pleased to note that these guidelines have worked well and that they have been extended to the Board's activities under the Environmental Assessment Act. 13 However, we would like to see municipalities named as parties, and the above guidelines and specific amendments adopted.

E. The Need for Public Funding

There are several compelling reasons for providing funding for intervenors: the need to reduce power differentials, the existence of conflicting interests, the need to enhance the cost effectiveness of the assessment process, and the need to ensure fairness. Funding, either by the proponent or by the Government, must be made available to intervenors to ensure their effective involvement. Although some would argue that this is too costly, especially in times of government restraint, the cost of funding public participation must be weighed against the longer-term costs of inadequate planning and public opposition to a project.

The necessity for funding may best be illustrated by examining one recent case at the provincial level. In Maple, Ontario, a ratepayers' association appeared before the Environmental Assessment Board at hearings under the Environmental Protection Act in 1976 and 1977. They were opposing an application for a provincial Certificate of Approval to operate a 1,000 acre landfill site over a 20-30 year period.

The Environmental Assessment Board hearings lasted 80 days, over a period of 1½ years. During that time the proponents called 14 expert witnesses. The ratepayers' group could not afford to retain expert witnesses and depended upon free legal services provided by the Canadian Environmental Law Association. When the hearings had been underway for one year, CELA wrote to the then Ontario Minister of the Environment, The Honourable George Kerr, asking for government funds so that contrary expert testimony might be called by the ratepayers. The request was refused. 14

Ultimately, the Environmental Assessment Board recommended against issuance of the licences for the landfill site. At the time of the announcement of the citizens' success, one of the proponents stated that his company had spent over \$1 million dollars to obtain the licence and would not accept the recommendation of the Board, but would seek political intervention. 15

Subsequently, the decision was appealed. The Appeal Board hearings lasted 26 days over a period of 10 months. The proponents substantially changed the size, scope and engineering of their proposed operation. Once again, the proponent produced expert witnesses to justify these changes. Once again, the ratepayers' groups sought financial assistance in order to participate on an equal footing, and these requests were refused by the Ministry of the Environment. Finally, the Appeal Board approved the licence application in April 1980.

This case is merely one example of how public interest groups must continually compete against the extensive financial

resources of proponents, without any funding. The situation is particularly inequitable when one considers that corporate proponents are indirectly funded by the general taxpayer. If a corporation with an incremental tax rate of 50% spends \$100.00 advocating its proposals in an environmental assessment process, it generates \$100.00 in business expenses and a \$100.00 decrease in taxable income. This in turn leads to a tax savings of \$50.00. Given these assumptions, the taxpayer would bear 50% of the corporate costs of the environmental assessment process.

In some instances, this subsidy is even more direct. While the enunciated policy was still that no funding was available for intervenors, the Ministry of the Environment extended financial support to two proponents at EAB hearings under the Environment Protection Act. At the Environmental Assessment Board hearing into the establishment of a sewage treatment plant in Ajax, the Ministry of the Environment allocated \$100,000.00 to defray the municipal proponent's research costs and \$170,000.00 to defray legal costs. The project was ultimately rejected. 16 No funding was provided to the opponents of the project. Similarly, the Minister agreed to reimburse BFI Ltd. for up to \$100,000.00 in hearing costs if its application to construct a waste facility at the Ridge Landfill Site in Harwich Township was rejected by the Environmental Assessment Board. 17 This was the same statute under which the ratepayers were refused assistance!

These examples are symptoms of the Ontario government's <u>ad hoc</u> approach to public funding. On April 17, 1980, the Ministry of the Environment announced that funds would be made available to the Environmental Assessment Board to call expert witnesses to appear at hearings held under the <u>Environmental Protection Act</u>

and the Ontario Water Resources Act. Curiously, these funding provisions were not extended to the calling of witnesses under the Environmental Assessment Act. The provisions of such witnesses would be at the discretion of the EAB. We fear that the continuation of this ad hoc approach to the issue of public funding will create further inequity and unfairness.

The EAB itself has exhibited much ambivalence toward funding public participation. A consultant commissioned by the Board in 1977 to study potential hearing procedures wrote,

"In general, the responses to the Board members' questionnaire suggests that the members expect representatives of public interest groups and lay public to make significant and meaningful contributions to hearings. In addition, a large proportion are generally concerned that some interest may be unrepresented or under-represented at Board hearings. Nevertheless, only one-third is willing to consider providing funds to assist in the preparation of presentations by public interest groups and the public." 18

The same researcher recommended that,

"The Board members consider approaching the provincial government with a proposal to operate an experimental public participation funding program run by the Board which would encompass both the provision of direct research grants, as well as reimbursements of expenses in selected cases."

From this and other experiences, the Canadian Environmental Law Association has recommended that:

"The need for money to defray the costs of obtaining adequate legal and scientific expertise in preparation for a hearing should be provided for in proposed legislation, by a provision mandating funding either by the project proponent (if private) or by a government fund.

This would enable citizens appearing at EAB hearings to place themselves on a footing more equal to project proponents, who...may have expended hundreds of thousands, if not millions, of dollars in preparations of the environmental assessment documents and applications." 20

In advancing such a position, the Canadian Environmental Law Association has hardly been a voice in the wilderness. Within government itself, there has been a virtual flood of public funding recommendations concerning the environmental assessment process. These include:

- 1. The report of the Ontario Royal Commission on Electric Power Planning. 21
- 2. Studies by the Law Reform Commission of Canada. 22
- 3. A Consultant's Report prepared for the Alberta Department of the Environment. 23
- 4. The Economic Council of Canada. 24
- 5. The Report of the EARP panel that conducted hearings on proposed oil drilling in Lancaster Sound in the Arctic. 25

From the same arena of government reports, the Canadian Environmental Advisory Council which reports to the federal Environment Minister, has recommended that:

- (i) Given the disparity between the resources available to some proponents and initiating agencies and those available to local community or public interest groups or individuals, funds be made available to such groups for research costs and other expenses where, in the opinion of the panel, the information and points of view to be presented are relevant and worthwhile;
- (ii) These costs of participation be born by the proponent and/or initiating agency, unless the panel directs otherwise;

(iii) The determination of the total amount of funds to be allocated to support intervention should be made available well in advance of the hearings, and a substantial proportion of funds allocated be provided in advance to permit adequate preparation of the intervention.²⁶

In addition to these many government reports, which speak out in support of funding, many researchers have reached the same conclusions. One has noted that:

"Funding for public interest participants is desperately required. Without funding, the decision-makers cannot realistically expect anything other than a reactive, negative response, or at worst, very hostile opposition." 27

We have provided the Commission with considerable detail concerning this question of the need for funding, for we believe it to be one of the key problems in the current process. If the Commission has any reservations about the need for public funding, perhaps it might ask itself this question: What would have been the extent and quality of public participation in the RCNE's deliberations if it had not provided public funding? As this Commission's hearings progress, we are confident that the need for public funding will emerge as a common theme amongst many of the submissions presented to you. The great range of groups, consultants and government agencies who call for funding should make clear this pressing need for public funding. We hope that this Commission will add its voice by strongly recommending that project funding be made available for public interest participants as a matter of policy.

Many of the proponents of funding are from southern Ontario. They see public funding as a pressing need in a part of the

province which enjoys areas of relatively high population densities, good communications, access to public interest support groups and high personal incomes. Since funding is required in these regions, surely the need is even greater in the North where there is a comparative lack of information and resources. The need is also more pressing in the North because there is a far greater likelihood that very large resource development projects, with significant environmental impacts, will occur there. Without public funding, local chiefs and band councillors could not even afford to travel to EAB hearings, let alone be represented at a level comparable to the proponent. For the North, refusing to provide public funding for participation in the EA process would have the effect of totally excluding Northerners from that decisionmaking process. If this Commission is committed to giving Northerners access to decision-making, it is obliged to recommend public funding under the EAA.

F. Funding Mechanisms

If we accept that public funding is essential to effective public participation, we must then determine who pays, what do they pay for, who do they pay, and how do they administer such a program.

In regard to the issue of who pays, there are essentially three alternatives:

- (1) The proponent pays.
- (2) The government pays.
- (3) A combination of 1 and 2.

It may be argued that since the private proponent is seeking government approvals, in the expectation of later generating

a profit, the proponent should be required to pay for all the costs of the assessment. The cost of the assessment necessarily includes the cost of public participation, since it is an integral part of the assessment process. Where the proponent is a public body, such as a municipality or government ministry, the profit motive is absent. However, we can still argue that the public proponent has a duty to ensure sound planning of his undertaking, and this should include public participation. This is consistent with a concept of "user pays".

On the other hand, it may be argued that since the government has a duty to determine if a project is in the public interest, the government itself should finance the cost of the public participation which is necessary to make this determination, whether the proponent is private or public. However, since the government is in essence the general taxpayer, in the case of a private proponent such a scheme would often merely shift the costs from the private proponent to the general public.

Consequently, we believe that the cost of public participation should be covered by a special fund financed by proponents. The amount that each proponent contributes, whether public or private, could be either a percentage of the cost of its environmental assessment study or a percentage of the projected capital cost of the project. The Ontario government could contribute an initial amount as "seed money" and it could also consider bearing some proportion of the costs where the proponent is a municipality. Under this scheme, the cost of public participation would thus be generated from both the public and private sectors.

What costs should the fund pay for? We believe that all costs directly related to public participation in the environmental assessment process should be funded. Funding should be available first to assist intervenors who wish to make a written submission in response to an environmental assessment document. If notice is given when the EA document is received, or earlier as we recommend, it should be possible to provide funding at this stage without delaying the over-all process. At this stage, funding would be limited to the costs of professional fees for evaluating and interpreting the data contained in the environmental assessment document.

Expanded funding should be available if an Environmental Assessment Board hearing is held. This funding should cover the costs of research, expert witnesses, legal counsel, transportation and communications.

Where the intervenor is an established public interest group, the funds should also cover a percentage of the group's established overhead costs. The priority should be to cover the costs of providing the necessary scientific and legal expertise. Volunteer involvement should also be encouraged.

We have considered and rejected the possibility of allocating funds on the basis of a "one-way" award of costs to be made after the hearings have been completed. Our reason is that without advance funding, public interest groups, whether ad hoc or established, simply could not afford the cost of an effective intervention.

In dealing with the question of who should qualify for these funds we have considered two types of applicants - local groups and established interest groups. First, a group

should be eligible for assistance when it can demonstrate that its members will be directly and substantially affected by a proposed project. Such groups may arise on an <u>ad hoc</u> basis and may include ratepayer groups, Indian bands, municipalities or a Chamber of Commerce. Established public interest groups should also be eligible for funding. In order to qualify, public interest groups would have to fulfill a set of conditions, such as:

- (1) Registered charitable status with Revenue Canada,
- (2) Corporate status under the laws of Ontario or Canada,
- (3) A demonstrated interest in the particular issues and a record of concern for environmental questions.

These are reasonable requirements for an established public interest group, but they should not be imposed upon local ad hoc groups. These requirements would merely represent a barrier to the formation of local groups. The government should remember that there may be several legitimate local concerns about a project, and should remain open to funding more than one local ad hoc group.

In order to avoid any appearance of bias or conflict of interest, the proposed fund should not be administered by the Ministry, which may be a statutory party to Environmental Assessment Board hearings, or by the Environmental Assessment Board, which is the decision-making tribunal. Rather, it should be administered by a separate agency such as the Environmental Assessment Advisory Committee, which is discussed in Section V. The RCNE itself saw the advantages of an arm's length" Funding Committee to assess and make recommendations on funding applications. Using the Environ-

mental Assessment Advisory Committee as the funding body should have many of the same advantages as the Commission's own Funding Committee. The Funding Committee mechanism could also provide a way to decentralize the decision-making and inject local viewpoints, by including some local representation on the committee on a case-by-case basis.

Where funding is provided, accountability will be an important issue. In the case of established public interest groups, this should not present any problem since they will have a clear record of financial responsibility. In the case of ad hoc groups, clear and uncomplicated accounting procedures will be required. When the group is represented by counsel, there may be some benefit in having counsel charged with the responsibility of accounting for expenditures, to further guarantee accountability.

Those who oppose funding public participation often argue that it would open the floodgates for frivolous interventions. We believe that such objections are unfounded. Similar arguments have been raised in opposition to all reforms which are designed to open up the processes of environmental protection. And yet, where judicial standing has been expanded, and individual environmental rights have been given legal status, there is no evidence to suggest that these reforms have led to frivolous actions or protracted delays. ²⁹Instead of surrendering the potential benefits offered by funding, let us establish a program and test these negative assumptions. We trust that the people of Ontario will not abuse such a program.

The suggestions presented here in regard to funding mechanisms would require greater study. Our main purpose in examining

funding mechanisms is to emphasize the importance of project funding, and to demonstrate that the logistical problems often raised by critics of public funding can be mitigated. We hope that these ideas will prove helpful. But they must not overshadow our primary concern - the need for public funding in the environmental assessment process.

Exemptions, Designations and the Use of Discretion

A. The Erosion of the Principle of Universality Under the Environmental Assessment Act

It is a basic tenet of the rule of law in a democracy that laws should have equal application to everyone in the class to which they apply. If a law is intended to solve a problem, the law should apply equally to everyone who may cause that problem. Discrimination between people in the same position is inherently invidious.

In the case of the Environmental Assessment Act, there can be no question that the target class of projects or undertakings is all undertakings with the potential to create a substantial or significant impact on the environment. This is reflected in the Green Paper on Environmental Assessment, which describes the environmental assessment process as a "means of ensuring that all environmental factors are considered in a comprehensive and coordinated fashion...before major projects and technological developments proceed".

Although the environmental impact of a project should be the primary consideration in deciding whether it is subject to the legislation, there is certainly room for secondary aspects to be considered. Factors such as the advanced stage of planning of the undertaking at the time of the passage of the Act, an urgent need for the project, and the need to phase in legislation gradually to avoid confusion, uncertainty and undue hardship to those affected must also be considered. However, when such considerations become the primary factor in determining whether an undertaking will even be subject to environmental assessment legislation, the principle of

equality before the law, or universality, is destroyed. Unfortunately, this has been true with the Environmental Assessment Act.

There are three main factors which have contributed to the erosion of universal application in the case of the Environmental Assessment Act:

- (1) the unduly prolonged phasing-in process;
- (2) the use of class assessments;
- (3) and the exemption process.

As is discussed below, the Commission is urged to make recommendations to restore the universality of application of the Act.

B. The Phasing-In Process

Throughout the discussions leading up to the passage of the EAA, the government insisted that the Act must be implemented gradually, with classes of projects or classes of proponents being made subject to the Act in stages. Environmentalists, on the other hand, insisted that either the Act should apply immediately to all significant undertakings, or a firm timetable for implementation should be announced.

An Act passed by the legislature has no legal force until it is officially proclaimed by the Lieutenant Governor. The EAA was not procalimed for the public sector until October 1976, approximately one year and three months after it was passed. At that time, many major Ontario government undertakings were exempted, as were all municipalities. Three years after the Act was passed, only five environmental

impact statements had been submitted to the Minister of the Environment. Of these, only one had been completed. Only three private sector undertakings had been made subject to the Act.

By the beginning of 1980, only 49 environmental impact statements had been submitted to the Minister, almost half of them, class assessments. The first public hearing under the Act was not held until April 1980. Municipalities were not brought under the Act until October of 1980.

As of October 1982, only four private sector projects have been designated under the Act. Little progress has been made on the preparation and review of the environmental impact statements of the first three private projects made subject to the Act, namely, Reed, Onakawana and the Spanish River dam. Seven years after the passage of the Act, it has still not been made applicable to the private sector, or to any class of undertakings in the private sector. Successive Ministers of the Environment have refused to state any timetable for making the Act applicable to the private sector.

When commencing any environmental impact assessment process, there will be a necessary transition period during which many projects that will clearly have significant environmental impact are already in an advanced stage of planning. It is reasonable to exempt such projects. But there should be some provision for making projects which have exceptionally significant impacts subject to the Act, even if the proponent has already made a substantial commitment of time and money to them.

It is a clear principle of our law that legislation should not be retroactive, or at least, that retroactive legislation

should be used sparingly. Fairness to people who have undertaken expenditure and efforts on the basis of the law as it was when they began their efforts requires some "grandfathering", some period of grace.

It was therefore reasonable that in the initial stages of implementation of the Act, some projects were exempted because of advanced planning. Even so, the argument for "grandfather clauses" is much less forceful with respect to government projects than private projects. While the law should not lightly interfere with private rights, projects undertaken by the public sector should be in the public interest and thus should be subject to sound planning principles, regardless of their stage of development.

The problem with exempting public undertakings during the phasing-in period on the basis of "an advanced stage of planning" or "urgency" is that the government has had unlimited discretion and has frequently acted on wrong or incomplete information. Moreover, exemptions intended to be "temporary" have been extended until they became permanent. The Ministry of Natural Resources program for forest management on Crown lands in northern Ontario. and the 10-year exemption period for the Ontario Energy Corporation's exploration activities in northern Ontario are cases in point.

The Ontario Hydro Atikokan coal-fired generating station was exempted on the grounds of "advanced planning", yet this project was subsequently drastically revised when Ontario Hydro decided there was less demand than it had forecast and substantially reduced its size. In light of concerns about acid rain expressed by Ontario Indians, Ontario and Minnesota environmental groups, and the government of Minnesota, it is difficult to see how the Ontario Government can continue to support this exemption.

The Darlington Nuclear Generating Station provides another excellent example of the unnecessary and unfortunate use of "grandfathering" under the Environmental Assessment Act. In October of 1976, the Minister of the Environment announced that although Ontario Hydro's planning for the station was well advanced, the government would not exempt the project at that time, but would wait until the public had had an opportunity to comment on a report on environmental studies to be submitted by Ontario Hydro. The government would then decide whether a formal public hearing would be ordered or whether the project should be exempted from the provisions of the Environmental Assessment Act.

There was apparently very little adverse public reaction to the project at that time, and the Cabinet exempted it. Adverse reaction came later in the form of yearly demonstrations at the site, and in response to revelations that the need for power from this plant was much less than Ontario Hydro had originally projected. The fact that the cost of this plant and of Ontario Hydro's nuclear power plants in general was far higher than anticipated was also revealed. Indeed, the plant still has not been built, and any urgency has, in retrospect, turned out to be illusory. Nevertheless, when the Chairman of the government's Environmental Assessment Steering Committee requested that the exemption of the Darlington Station be re-appealed in January of 1979, on the basis that there was no longer any urgent need to proceed with the project, the Premier refused to reconsider the decision to exempt it. 32

In October of 1976, the government should have decided either to put Darlington under the Act, or not. To take a "wait-and-see" approach was to use Hydro's environmental study as a trial balloon and use the Act as a public relations tool.

Certainly, public perception and controversy should be grounds for applying the Act, even when government experts do not feel that a project will have significant impact. But the opposite is not true. Lack of controversy should not be an excuse for exempting projects which obviously can have significant impact.

With respect to phasing-in the Act in the public sector, now that the Act is seven years old, the "advanced stage of planning" argument should no longer be used to exempt projects. Extensions of exemptions first given several years ago should be curtailed. Further phasing-in decisions should be subject to prior scrutiny by the Environmental Assessment Advisory Committee* discussed in Part E of this section.

Moreover, the definition of the public sector in the Act should be broadened to include institutions that clearly would be considered public by most of us, but escape the Act because they are not government agencies, for example, most hospitals. An incinerator proposed by Victoria Hospital in London almost escaped assessment in 1981 because the hospital is a "private organization", even though the hospital operates largely on government grants and has municipal officials on its board, and the funding for the project would come largely from the City of London and the Ontario Government. Under severe public pressure, the Hospital ultimately volunteered to submit to the Act.

*Note: In this report reference is made to both an
Environmental Assessment Steering Committee and an
Environmental Assessment Advisory Committee. The
Steering Committee refers to the earlier body which
was disbanded. The Advisory Committee refers to
the body we recommend be established.

Private Sector Phasing-In

With respect to the phasing-in of the Act, the major outstanding problem is the failure of the government to apply the Act to the private sector. The private sector has already had one "grandfathering", between the time the Act was passed and the present. Projects in an advanced state of planning in 1975 have now escaped the provisions of the Act. When the Act is finally applied to it, the private sector may well again demand a further period of exemption for projects currently under consideration, even though the private sector has been aware of the provisions of the Act since 1975.

The Commission is urged, therefore, to make three main recommendations to the Ontario Government with respect to the phasing-in of the Environmental Assessment Act and its application to the private sector:

- 1. It is recommended that the Commission recommend that the Ontario Government establish a firm timetable for making the Act applicable to the private sector, and that the Act quickly be made broadly applicable. Specifically, the Commission might recommend that the private sector be brought under the Act by December 31, 1983.
- 2. Even after the Act is made applicable to the private sector, there will be a continuing need for a screening mechanism to determine which projects should be exempted from the Act, and for the development of criteria for exemption. The Commission is urged to recommend to the Ontario Government public participation in the screening mechanism, and safeguards to prevent the excessive use of discretion and to reduce the exemption of significant undertakings. Specifically,

- the Environmental Assessment Advisory Committee should be established to carry out these functions.
- In light of the lengthy time the private sector has had to familiarize itself with the Act and its requirements, the Commission should recommend to the Ontario government that "grandfathering" be kept to a minimum. Proponents made subject to the Act will certainly be able to claim, when it is applied to the private sector, that they did not know that their particular project would be subject to the Act. However, they should be in no position to claim that they could not have anticipated that this type of project would be brought under the Act at any time. Specifically, it is suggested that the private sector be given six months' notice of the date on which the Act will apply to it, and that after the Act is extended to the private sector, exemptions on the grounds of advanced planning should be restricted to the most exceptional circumstances and subject to review by the Advisory Committee.

The Ministry of the Environment has had ample time to consider how to bring the private sector under the Act. The Ministry sponsored a workshop on the Environmental Assessment Act and the private sector in June of 1979. This workshop produced a report with 26 conclusions. There has been ample time for the Ministry to consider and implement these 26 conclusions.

It is recommended that the Commission endorse the following conclusions of that workshop:

- The term "major undertaking" should be defined primarily in terms of environmental impact, and only secondarily in terms of project size or cost.
- 3. A general inclusionary regulation defining major undertakings, supplemented by a list of project types for which an EA is definitely required, is the favoured approach.
- 5. An initial list of projects which might be designated and/or exempted should be developed. Possible criteria for defining "major undertakings" in terms of environmental effects should also be prepared.
- 6. There should be maximum involvement of industry, government agencies, and public interest groups in determining these lists and criteria.
- 7. A screening mechanism is required to determine the disposition of "grey area" projects and to review any exemptions and class EA projects for "bumping-up"*if necessary.
- 10. The entire private sector should be brought under the EAA simultaneously.
- 13. Institution of a general reporting mechanism whereby the Ministry of the Environment and the public is informed of any planned new projects and expansion should be considered.

All of the other conclusions of the workshop report have great merit and are worthy of consideration by the Commission. We have focused on the ones above because we feel that they are central to the issue of universality of application of

*Note: "Bumping-up" means that a project which is already exempt should be made subject to the Act.

the Act, and preventing abuse of discretion. The other conclusions are attached in Appendix I.

C. Class Assessments

During the years of debates leading up to the passage of the EAA, there was never any discussion of "class assessments". All parties acted on the understanding that the Act clearly contemplated that individual projects required individual assessments. Subsequently, the Ministry of the Environment has encouraged the use of class assessments, and at times has encouraged proponents subject to class assessment to believe that by carrying out a class assessment, they could avoid doing an individual assessment.³⁴

Class assessments are a useful supplement to individual assessments. They may also be a useful "screening" mechanism for determining which individual projects in a class are likely to have such little impact that they need not be subject to assessment. However, class assessments are not a substitute for individual assessment of significant undertakings. Impacts are often project-specific, and can only be determined by carrying out an individual assessment. workshop on environmental assessment and the private sector concluded that "difficulties with the Class EA approach render its usefulness for the private sector questionable". This is also true of public sector projects. If class assessments are to be used either in the private or the public sector, there must always be a suitable "bump-up" provision to ensure that projects likely to have significant environmental impact individually, are assessed individually.

It is recommended that the Commission recommend to the Ontario government that it institute suitable safeguards to

ensure that class assessments are not used to circumvent the intent of the Environmental Assessment Act. Again, a combination of "bump-up" provisions and scrutiny by the Advisory Committee would be adequate safeguards.

D. The Screening Process

A great deal has been written about the exemption process under the Environmental Assessment Act. In fairness, the more neutral term "screening process" should be used. But in Ontario, the "screening process" has been primarily an "exemption" process. The need for a screening process under any environmental impact assessment procedure cannot be denied. It is necessary to make a preliminary determination as to which projects may have sufficient impact on the environment to require a rigorous assessment process, and which do not.

As we have stated above, the primary screening criterion should be whether or not the undertaking will have significant impact on the environment. All other criteria should be secondary. In Ontario, there is substantial evidence that these priorities have been reversed.

The initial assessment of the significance of a project is not the only legitimate reason for exempting it from environmental assessment. As Bowden points out,

"As a general rule, exemptions would seem to fall into three discernible groups: exemptions due to the insignificance of the adverse environmental effects; blanket exemptions based on either time considerations or project origin from a specific societal sector; the "public interest" exemption. The nuances of each exemption type should be approached separately as the negative implications of each, in relation to the overall efficacy of

any EIA process vary, as do the means of limiting those same effects. One may even be so bold as to comment that well-tempered use of some of these exemption tools will indeed contribute positively to EIA success".

Other criteria for releasing a project from environmental impact assessment may be valid, for example: urgency, the need to prevent excessive cost or delay; the advanced stage of planning of the project; the avoidance of retroactivity; and the public interest. However, it is important that these other criteria be clearly and narrowly defined and that exemptions on the basis of such criteria be the exception rather than the rule, and that there be safeguards to prevent the abuse of these rationales.

Even with respect to the primary screening criterion, namely, significance/non-significance, there will be a "grey area" in which projects are not clearly significant or insignificant. Even in this area, there should be some safeguards to minimize the number of discretionary decisions and ensure that all relevant information is brought to the attention of the decision-maker. The decision whether to exempt or not exempt must be made on the basis of relevant and not extraneous factors.

Care must be taken to ensure that mere convenience is not enough to justify exemptions. Decision-makers must not be given such great discretion and allowed to screen projects on the basis of such vague criteria that mere convenience or political expediency can easily pass for "urgency" or "the public interest". The most blatant example of this was the exemption of a road because of an election promise to expedite its construction.

Moreover, any claims that exemption of projects is required because of their urgency should be subject to close and skeptical review. Ontario is one of the most highly industrialized and developed provinces in one of the most developed countries in the world. The province already has in place a diverse industrial and agricultural base, a well-developed communications and transportation network and extensive public services. Under these circumstances, claims that any single project is so urgently needed that it cannot withstand a brief delay in its approval, for consideration of its environmental impacts, ring hollow. Our traditional methods of employing our resources have not stopped us from falling into a serious recession. Any attempts to employ our resources in the same manner that has failed to prevent our current economic hardships, may be as much a contribution to our present problems as a satisfactory response to them. Curtailing environmental impact assessment as a means to solve our current economic problems smacks of panic politics and desperation economics.

The exemption of significant government projects and the failure to designate significant private projects has been and continues to be the Achilles heel of the Environmental Assessment Act. It is interesting to note that many of the significant projects that have escaped assessment have been in the intensely developed areas of southern Ontario, and not in northern Ontario where a more compelling argument might be made for jobs and services. Southern Ontario projects that have escaped scrutiny include: undertakings which are clearly frills rather than necessities, such as the Maple Amusement Theme Park; projects whose need was highly questionable; the Darlington Nuclear Generating Station; and the Elora Gorge Bridge. Assessing the impact of the

dredging of the Keating Channel was resisted for some time. Although the government ultimately made it subject to the Act, an exemption of questionable validity was given in 1981 for "emergency dredging".

Some projects which escaped assessment because of the Government's haste to implement them, may not, in retrospect, even have been viable. For example, the Ontario Government refused requests to designate the proposed gigantic waste disposal site in Maple, Ontario, under the Act. It has now become clear that because of pollution of the groundwater in that area, the site, which was originally to have been used for 20 years, may be useful only for five years. ³⁶ Similarly, the government exempted the proposed South Cayuga Liquid Industrial Waste Treatment and Disposal Facility from the Act on the grounds that a treatment facility was urgently needed, only to have that site ruled out over a year later in a study by the Ontario Waste Management Corporation.

Exempting significant projects frequently backfires. If the reason for exemption is that a proper study will take too long and will delay a decision on the project, exemption is frequently self-defeating. There are sufficient other avenues of protest and other forums available to members of the public opposing a project, that avoiding the Act will merely displace their opposition into other, perhaps less productive forums.

Quelling public protest may be a longer and more difficult job than doing a proper environmental assessment. For example, opponents of the Elora Gorge Bridge challenged it in the courts and before the Ontario Municipal Board for a period of seven years, because the proponent and the Ontario

government refused to require a proper environmental impact assessment. Opponents of the proposed Victoria Hospital energy-from-waste incinerator in London, Ontario, delayed the passage of a Private Bill giving the City of London and Victoria Hospital the authority to spend money on this project. The opponents appeared before the Standing Committee of the legislature considering this Bill and demanded the addition of a provision making the project subject to the Environment Assessment Act. Such Bills normally are passed with almost no discussion.

Because of the opposition of the residents, the Committee postponed its deliberations on this Bill for several months. The hospital corporation and the municipality had resisted requests to designate this project under the EAA because of their fears that a full environmental assessment would increase the cost of the project and delay its implementation. When faced with the fact that the residents had blocked the passage of the Bill giving them the power to spend money on such a project, they reversed their position and asked that the project be designated. It had become clear to them that efforts to avoid the appropriate environmental procedures would create greater costs and delays than compliance with the EAA.

The exemption process by the Ministry and Cabinet has been largely discretionary and little provision has been made for public input. For a period of time, there was public input through the Environmental Assessment Steering Committee.

This Committee eventually became Dr. Donald Chant alone, and since he resigned, the Committee has not been reinstated, despite several promises from the Premier and the Minister of the Environment to do so.

The procedure while the Steering Committee existed was that described by Bowden:

"Generally, a loose screening mechanism was developed which outlined various factors to be considered in the assessment/no assessment decision.

Notably these factors were, and for that matter still are, not the sole determinants in concluding that a project had significant impacts. Similarly, it should be remembered that any determinations involve, to a certain degree, a value judgment as to the degree of negative environmental effects, justaposed with analysis of the beneficial aspects of the project.

On the basis of this give and take determination, Ministry officials have traditionally made a recommendation to the Minister who then reviews the project on the basis of exemption/non-exemption. Inevitably, the Minister has been influenced by factors beyond immediate environmental considerations. Perhaps as a limited safeguard to the emphasis which the Minister has placed on non-environmental factors, his decision has been submitted to the Environmental Assessment Steering Committee for "critical review" before final Cabinet approval is sought. However, at this level, dialogue is very much in-house, and the degree to which the Minister is influenced by Committee input remains open to question. 37

Now, of course, even the limited scrutiny of the Steering Committee is gone.

The members of the Environmental Assessment Steering Committee consisted of the Chairman and Vice-Chairman of the Environmental Assessment Board, Dr. Donald A. Chant; a member of the EAB, as well as a member of the Boards of the Canadian Environmental Law Association and Pollution Probe, and the Deputy-Minister of the Environment. They initially were appointed to aid in the implementation of the Act. At the time of the drafting of new municipal regulations in 1978, the Canadian Environmental Law Association expressed concerns

about further exemptions under those regulations without any adequate scrutiny or public participation. CELA suggested to the Government that such scrutiny be provided by giving the public an opportunity to question any exemptions of significant projects. CELA suggested that this could be accomplished through one of three mechanisms: by an application to the Environmental Assessment Board; by extension of the role of the Environmental Assessment Steering Committee; or by establishing the Environmental Council provided for in the Environmental Protection Act, but which has never been set up.

The government decided to expand the mandate of the Steering Committee to become "an independent body, fielding problems regarding possible MOE designations or exemptions". 38 As Bowden notes, to the credit of the MOE, even though this expanded role arose in the context of the municipal regulations, the government allowed the Committee to review projects in all sectors within the Environmental Assessment Act, and to make recommendations to the Premier. Bowden comments,

"when questions of designation arose, the public was free to approach the Steering Committee before the exemption was granted, which would in turn, alert the MOE, the Minister or even the Premier, to the possible problem so that consideration of a possible environmental assessment designation would be made... The one major drawback to the Steering Committee solution, caused probably by lack of public knowledge, was that (the Committee) was often approached after a Cabinet decision had been reached - even though the "ear" was still there the effectiveness of his recommendations was greatly reduced as reconsideration by Cabinet is rare once a decision has been made." 39

It soon became apparent that many of the members of this Committee had a potential conflict of interest, as a result

of their membership on the Board or their employment by the Ministry. As a result, Dr. Chant was made the sole member of the Steering Committee for the purpose of receiving submissions from the public, and he resigned his memberships on the Environmental Assessment Board and in the Canadian Environmental Law Association to avoid conflict of interest.

It is difficult to assess the effectiveness of this procedure. It was clearly effective to the extent that Dr. Chant frequently recommended designation or re-designation of projects to which the public had alerted him. As the number of requests made to him is not public knowledge, it is impossible to know how frequently he did this. However, he clearly did this with respect to several projects which obviously had a high degree of significance. However, it is also clear that the Ontario government refused to follow his recommendations in certain important cases, such as his recommendation of designation for the Elora Gorge Bridge, the Darlington Generating Station and the Keating Channel dredging.

When Dr. Chant was appointed Chairman of the Ontario Waste
Management Corporation, he resigned his position as the
Steering Committee. The Steering Committee has never been
reconstituted, despite promises by the Premier and the Minister
of the Environment that this would be done.

It is essential to limit the discretion to grant exemptions and to refuse requests for designations in secret and without clear criteria upon which to base such decisions.

In this regard, the Commission is urged to make four recommendations to the Ontario Government:

- Specific, clear guidelines and criteria for designations and exemptions should be promulgated and made public, and decisions should be based on these to the greatest extent possible.
- 2. At some point, staff of the Environmental Assessment
 Branch of the Ministry of the Environment will become
 aware, either through contact with the proponent or
 reports by concerned members of the public, of undertakings that fall into a grey area between significance
 and non-significance. It will also know of projects which
 are clearly environmentally significant, but in which the
 proponent seeks to avoid the Act on other grounds.

As soon as possible after this occurs, the Ministry staff should have an obligation to notify the public of this situation and provide an opportunity for public submissions to the Branch. These submissions can be most helpful if a pre-screening document is submitted by the proponent.

- 3. Any one who wishes to proceed with an undertaking either under the Act, or not under the Act, which may have significant environmental impact, should be required to submit to the Ministry of the Environment a prescreening document. This document should contain a project description, indicate the level of commitment to the project, the alternatives considered, potential impacts, and any other relevant information available at this early planning stage. This document should not be considered the environmental impact statement, or an alternative to it. The document should be public and notice should be given that it has been received.
- 4. At some point, if the proponent continues to take the position that his undertaking should not come under the

Act, Ministry staff will have to make a recommendation to the Minister. At this point, anyone who feels strongly about it, including the proponent, should have the right to trigger some form of public discussion. Although the ultimate decision whether to exempt or designate will be made by a Cabinet Minister or by the Cabinet, there must be a role in this process for public participation before an independent tribunal or agency before the Minister or Cabinet makes the final decision. A Board or Committee which has some members from outside government, for example, from environmental groups and other citizens' groups, should have an opportunity to make recommendations to the government on the basis of submissions from the public. Again, the recommended mechanism is the Advisory Committee discussed in Part E. This Board or Committee should follow a fair procedure in that its proceedings are public, it makes public the submissions received by it, and its recommendations, and it gives written reasons for its recommendations in each case, even though it need not be subject to the more stringent provisions of the Statutory Powers Procedure Act.

E. The Environmental Assessment Advisory Committee

As we described earlier, this Environmental Assessment Steering Committee was originally given the responsibility of supervising the regulations implementing the Act. In response to public pressure for a "watchdog" body on screening decisions, the Committee was later given authority to make recommendations to the Premier about the exemption or designation of undertakings. Later, this advisory function was assigned to the former Committee Chairman alone, since his other Committee

members had a potential conflict of interest because of their position in the Ministry of the Environment or on the Environmental Assessment Board. Since Dr. Chant resigned, this watchdog function has been non-existent. In the absence of such a Committee, decisions have been taken to exempt such important matters as Detour Lake road and to renew the interim exemption for Crown Land forest management.

In May of 1981, the Conservation Council of Ontario recommended to the Premier of Ontario that this Committee be re-established with a new Chairman and at least two representatives from public interest groups. 40 The reinstated and restructured "Environmental Assessment Advisory Committee" would have the right to review and comment on any exemption decisions that have been taken in the current absence of a Chairman. Further potential exemptions should be referred to the Committee before the Minister of the Environment or Cabinet makes a final decision on them.

On July 20, 1981, the Premier wrote the Conservation Council of Ontario making a commitment to improve the exemption screening process along the lines proposed in its submission. The Algonquin Wildlands League prepared a list of 13 candidates put forward by the environmental community and eminently qualified to serve on the Advisory Committee and recommended these candidates to the Premier in November of 1981.41

Most recently, the Minister of the Environment promised action on this issue "in the very near future". In a speech delivered May 3, 1982, to the Environment Section of the Canadian Bar Association, the Honourable Keith C. Norton stated:

"While the Act is, for the most part, working out well, there are still some areas of controversy which may need eventual revision. Primary to these would be application of the Act and the process of exemptions.

As some of you are aware, the Premier's Advisory Committee on the Environmental Assessment Act was originally created to advise the government on these matters. I would like to report at the Premier's request the Environment Ministry has completed the revised terms of reference for the Committee and the government is currently considering individuals to act as its Chairman.

I know some of you have been concerned about what you perceive to be an unwarranted delay in putting this Committee back into operation. However, I hope to be able to satisfy your concerns in the very near future."

Despite these assurances, the Committee has not been set up.

It is recommended that the Royal Commission on the Northern Environment recommend to the Ontario Government that it reestablish and restructure this Committee as soon as possible. The Committee should have significant public interest representation from members outside the government. Its role should include the screenings of undertakings, review of regulations under the Act, and decision-making on requests for public funding. This should be done before a final decision has been made by the government. The Committee should be accessible to the public and should carry on its deliberations in an open and public manner and provide reasons for its decisions and recommendations. The Advisory Committee should be able to add one or two local members to give it the advantage of a local perspective.

Streamlining the EA Process: The Consolidated Hearings Act

One of the main barriers to full implementation of the Environmental Assessment Act has been the perception that environmental assessment increases costs, creates delay, and creates duplication of effort, particularly duplication of hearings. This perception, whether accurate or not, has been used effectively by opponents of environmental assessment to delay full implementation of the Act. It has been given by the Ministry of the Environment as a reason for delaying bringing the private sector and municipalities under the Act. Municipalities themselves have opposed being included on this ground.

At the same time, environmental groups have been skeptical about demands for streamlining because it may curtail legitimate public participation in the planning process. Environmentalists have no objection to avoiding unnecessary duplication; however, they do object to attempts to circumvent or subvert the environmental assessment process under the guise of "streamlining". Unnecessary and undesirable overlap and duplication should be avoided; however, overlap is not in itself necessarily undesirable if it brings to bear a more rigorous analysis of the issues and a greater diversity of viewpoints.

Indeed, "streamlining" has been incorporated into the Environmental Assessment Act from the very beginning through the concept of an overall government review, in which the views of all affected government agencies would be co-ordinated by the Ministry of the Environment. Moreover, the idea of a single environmental assessment document which incorporates economic, social and natural environment considerations is a streamlining mechanism.

In the United States, environmental groups have had extensive experience with industry-sponsored "short-cut" procedures such as the Strip Mining Act, and Deep Sea Mining Act, the Marine Sanctuaries Act, the Energy Mobilization Board, and attempts to avoid applying NEPA to major federal actions outside the United States. Consequently these groups have developed a skepticism towards "streamlining". Some of the largest conservation organizations in the United States have warned about the misuse of streamlining. The National Audubon Society has stated,

"We probably tend to be rather suspicious of attempts to 'streamline' the environmental assessment process, since it has been our experience that the very process of environmental assessment all too frequently identifies the need for data on some hitherto unconsidered aspect that necessarily entails some delay in completing the process, because of the need for time to obtain the required information. This may be almost inherent in the process of attempting to do a complete environmental assessment, inasmuch as the proponents of a given project will almost surely tend to overlook those impacts that could threaten their own proposal."43

The National Wildlife Federation says of streamlining:

"Many American industries are opposed to environmental restraints of any kind and would like to abolish the EIS procedure established in our National Environmental Policy Act. This organization... is opposed to the idea of a super-powered agency which could by-pass or circumvent sound environmental protection laws in the guise of speeding of the established processes." 44

Some proponents will never be satisfied, regardless of how much streamlining is built into the process, because they are utterly opposed to any restraint on their freedom to develop. However, to the extent that concerns about delay, cost and duplication are legitimate, this issue should be laid to rest by the passage of the Consolidated Hearings Act

in 1981. In describing the intention of the <u>Consolidated</u> <u>Hearings Act</u>, the Honourable Harry Parrott, then Minister of the Environment, stated that:

"The new process will be quicker, more efficient and should be less costly. But I also think it would be more effective in producing good decisions because there will be one forum in which all of the competing interests, all of the alternatives and all of the advantages and disadvantages can be discussed and balanced in the single, comprehensive process.

...(T)he proposed arrangements will be subject to only one comprehensive review process and one possible hearing and appeal procedure. A key principle underlying the approach is that all of the matters to be considered under existing statutes will continue to be considered. And all of the persons who have rights to hearings under the present statutes will continue to have them." (Emphasis added) 45

Where hearings might otherwise be held by different boards under a number of different provincial statutes, the Consolidated Hearings Act provides for one comprehensive hearing by a Joint Board made up of members of the Environmental Assessment Board and the Ontario Municipal Board. This Joint Board will deal with all of the matters to be decided under all the pieces of legislation subject to the Act, i.e., all legislation in the schedule. These are: the Environmental Protection Act, the Expropriations Act, the Municipal Act, the Municipality of Metropolitan Toronto Act, the Niagara Escarpment Planning and Development Act, the Ontario Municipal Board Act, the Ontario Water Resources Act, the Parkway Belt Planning and Development Act, the Regional Municipality of Ottawa-Carleton Act, and the Regional Municipality of York Act.

To the extent that the <u>Consolidated Hearings Act</u> provides greater efficiency without curtailing rights, and fulfills the promises made by the Minister of the Environment, the Canadian Environmental Law Association and other environmental groups support it. However, the legislation has the potential to circumvent sound planning procedures and fair public participation. CELA's concerns about this Act are discussed below.

A. A Brief Description of the Consolidated Hearings Act

The purpose of the <u>Consolidated Hearings Act</u>, as its title implies, is to ensure that any undertaking which may require hearings under more than one Act, will now require only one hearing. This one "consolidated" hearing will deal with all of the issues arising from both the project and the various Acts to which it is subject. The following brief description highlights specific provisions of the CHA.

The Act defines "establishing authority" as the Chairmen or Vice-Chairmen of the Environmental Assessment Board and the Ontario Municipal Board. "Person" is defined to include a municipality, the Crown and an unincorporated association (s.l). The Act applies to an undertaking which requires or may require more than one hearing under the Acts mentioned above (s.2). To trigger a consolidated hearing, the proponent gives written notice to the Hearings Registrar, who is the Secretary of the Environmental Assessment Board. This notice must specify the hearings that are, or may be, required. Section 3 would, if and when it is proclaimed, allow any person affected by the undertaking to make an application to the Divisional Court for an order to make the proponent give notice to the Hearings Registrar.

The Hearings Registrar refers the matter to the Chairman of the EAB and the Chairman of the OMB, and these Chairmen establish a Joint Board, which is selected from the members of the EAB and the OMB. The composition of the Joint Board cannot be changed after hearings have begun. The decision of a majority of the members of the Joint Board is the decision of the Board. The Joint Board can hold hearings on any of the matters that could be considered at hearings under the Acts listed in the notice to the Hearings Registrar (s.4).

The Joint Board can make any decision that could have been made by the tribunal that would have held the hearing under the Acts listed in the notice. The Joint Board can defer matters to be decided later, or can defer a matter to the tribunal that normally would have heard it. When the Joint Board defers a matter, it can impose terms and conditions, or give directions on it, including a directive that the matter be decided without a hearing.

A Joint Board may make a decision without holding a hearing, if it feels that a hearing would not normally be held under the Act specified in the notice. A Joint Board can amend a notice given under Section 3 if a person with standing asks the Board to do so, and this can be done after hearings have begun (s.5).

The requirements of notice, practice and procedure under the Acts in the notice to the Registrar, will apply also under this Act. However, the Joint Board can change the filing requirements to make it more efficient, so long as they ensure fairness. The Joint Board can set its own practice and procedure. The Board can award costs of a proceeding, order by whom and to whom the costs are paid, and fix the amount of the costs or the scale of the costs (s.7).

The same rules of standing that apply to the Acts in the notice to the Registrar shall also apply under this Act.

The Joint Board can also appoint a class representative and amicus curiae (s.8). The Board may also appoint expert witnesses (s.10) and it has the power to state a case for the Divisional Court (s.11).

To participate in a decision, a member of the Joint Board has to have been at all the hearings. A written decision and reasons will be given to parties who took part in the proceedings, and to any other parties who would have received notice of the decision under the requirements of the Acts in the notice to the Registrar (s.12).

The Lieutenant-Governor-in-Council can order that all or any part of a decision by a Joint Board be changed, or can substitute a decision, or can require a different Joint Board to hold a new hearing. Any person with standing at the hearings can apply for such a change in the ruling of the Joint Board within a 28-day period (s.13).

The decision of the Joint Board becomes final if there is no appeal (s.14).

Where a hearing is, or may be, required under any of the above-mentioned Acts, the decision of the Joint Board on whether there will be a hearing stands, and cannot be affected by any of the tribunals under any of the other Acts in the schedule. Only the appeal proceedings described in this Act apply (s.15).

The same information that can be disclosed for proceedings under the individual Acts in the schedule may be disclosed for proceedings under this Act (s.18).

The Lieutenant-Governor-in-Council may make regulations:

"exempting any undertaking or class of undertakings or any hearing or class of hearings in the application of this Act or the regulations or any portion or section of this Act, the regulations, and prescribing conditions that shall apply to any such exemption." (s.19).

Once a proponent gives notice to the Hearings Registrar, no hearings under any of the Acts in the schedule can be held (s.20). Any of the matters not decided under this Act can be decided under the other Acts in the schedule (s.21).

If a hearing has already begun under one of the Acts in the schedule, this Act does not apply. However, if a hearing is in progress under one of the Acts in the schedule, and a party to those proceedings gives notice, the hearing can be moved under the Consolidated Hearings Act (s.24).

The Act binds the Crown (s.23).

B. Discussion

The Environmental Assessment Act was passed more recently than most of the other Acts in the schedule. It reflects a concern for fair notice, access to information, public participation, and holistic, comprehensive planning to a greater degree than most of these other Acts. In recognition of this, the government made commitments on several occasions to ensure that the Environmental Assessment Act would take precedence in any streamlining process. The Consolidated Hearings Act represents a reversal of those commitments.

There is no guarantee in the Act that the procedures established by the <u>Environmental Assessment Act</u> will take precedence over the requirements of other statutes.

The main drawback of the Consolidated Hearings Act is that it fails to address how a Joint Board will deal with differing requirements for such policies and procedures as notice, access to information, filing of documents, etc., when the requirements of two separate Acts have to be merged. What happens if a hearing is held under both the EAA and the Planning Act, and one Act has considerably greater notice requirements than the other? Will we get the highest or lowest common denominator?

for example, access to information in the Board's files is far more extensive under the EAA than the access provided by the Ontario Municipal Board under the Planning Act and and other Acts under which the OMB holds hearings. Over the years, the Ontario Municipal Board has made it very difficult for ordinary members of the public, and for lawyers who do not practice regularly before the Board to obtain access to its files or copies of documents in the files. The EAA, on the other hand, provides that all the basic documents are part of the public record and makes them available at various locations. AT Standing, costs, funding, discoveries and motions are other areas where these two Acts differ considerably.

There are no statements in the <u>Consolidated Hearings Act</u> which explain how the Joint Board or anybody else is supposed to merge these overlapping and possibly conflicting requirements.

An equally important concern is the fact that the Act may authorize the Joint Board to refuse to hold a hearing and to decide matters without hearings, with little or no opportunity for judicial review of the Board's decision. The Board can do this whenever it forms opinions on certain matters, with no safeguard to ensure that those opinions are based on fact. Administrative and quasi-judicial tribunals are appointed agencies not directly accountable to the public. It is only in recent years this kind of delegation by the elected representatives of government has even achieved any degree of acceptance. Normally, the right to refuse a hearing by such Boards is restricted to Ministers of the Crown. Such Ministers are accountable to the public, and have rarely exercised their discretion to withhold the right to a hearing. Without such direct accountability, it is dangerous to give this power to a Joint Board.

Because the Consolidated Hearings Act attempts to combine the procedures, rights and duties imposed by several Acts, it is inherently difficult legislation. It is difficult to determine how it will apply in practice, and whether it will curtail or expand the rights provided by the Acts which it supersedes. As a matter of principle, streamlining legislation should neither curtail nor expand the rights given by other legislation unless it does so explicitly. Whether the Consolidated Hearings Act will be used to augment or to circumvent the requirements of the Environmental Assessment Act remains to be seen, and the fact that either could happen is a deficiency in the Consolidated Hearings Act.

However, it is clear that it augments certain provisions of the <u>Environmental Assessment Act</u> and for that reason should be strongly supported. For example, where the Environmental Assessment Board has no right under the EAA to award costs, a Joint Board can do so under the Consolidated Hearings Act. Obviously, this creates an anomaly which should be cured by giving the Environmental Assessment Board a similar right under the EAA (subject to our previous comments that project funding is a far more appropriate mechanism than after-the-fact costs).

Similarly, the Consolidated Hearings Act appears to provide clearly for an appeal of a decision of the Board to the Cabinet, including certain safeguards to ensure that all parties to the original hearing have some procedural rights on the appeal. The Environmental Assessment Act, on the other hand, has a vague and confusing provision for review by the Minister and Cabinet. This provision has been interpreted by some observers as an appeal with no clear procedures, and by others merely as a right of the Minister to re-open proceedings without any right of review by any of the parties. While we are pleased to see fairer procedures under the Consolidated Hearings Act, it would be preferable to provide similar procedures under the Environmental Assessment Act.

On the other hand, it is possible that the Consolidated Hearings Act will remove some of the rights provided by Acts in the schedule. For example, Section 19 allows the Lieutenant-Governor-in-Council to exempt any undertaking or class of undertakings, or any hearing or class of hearings from the application of the Consolidated Hearings Act by regulation. If a matter comes under the Consolidated Hearings Act, it is because the undertaking was already under more than one of the Acts in the schedule. Does exemption of the undertaking from the Consolidated Hearings Act merely restore

the status quo ante, so that hearings will be held under both the Acts the undertaking originally came under? Or does it also exempt the undertaking from those Acts?

Obviously, to give the power to exempt an undertaking which is already under more than one of the Acts in the schedule from those Acts, would be to give the Consolidated Hearings Act more power than a streamlining Act should have. Other sections, such as s.3(3) raise similar concerns.

We respectfully submit that the Royal Commission on the Northern Environment should recommend to the Ontario Government clarification of the Consolidated Hearings Act. The government should ensure that the provisions of the Acts in the schedule that are most advantageous to members of the public who wish a full and fair hearing by an independent tribunal under any of the Acts in question, are preserved under the Consolidated Hearings Act.

VI Return to Detour Lake

Introduction

First, the Commission should be commended for examining the Detour Lake Access Road matter as a case study in environmental assessment in the North, and for producing the report, The Road to Detour Lake. This Report provides a detailed and well-documented account of the events and of government decision-making regarding the Detour Lake case. The Report is thorough, comprehensive and objective. It reports the actions and decisions of various government Ministries and comments on, questions, or criticizes these actions in an analytical manner. The author clearly avoids any temptation to lay all the blame at one doorstep or to discover a villain in the process. Instead, the Report points to the mandates, the pressures, and the actions of each of the Ministries, and comments accordingly.

Detour Lake is located in northeastern Ontario, about 90 miles northeast of Cochrane, Ontario. In 1975 Amoco Canada Ltd. discovered a large gold ore reserve near Detour Lake. By 1979 Amoco invited other companies to join as venture participants, and Dome Mines, and its subsidiary, Campbell Red Lake Mines joined Amoco to form a consortium.

The development plan for the mine called for a production date of October 1983. It was with this date in mind that the joint venture approached the Ontario government regarding the provision of an access road to the mine. Amoco made a formal request to the Minister of Natural Resources in March 1978. About a year later, that Ministry called together an interministerial committee to deal with the proposed development. The committee included representatives from the

Ministries of Natural Resources, Northern Affairs, Environment, Transportation and Communications, Energy, Labour, Industry and Tourism, as well as Ontario Hydro and the Cabinet Committee on Resources Development.

The Commission's report traces the role of this committee and the various ministries in dealing with the request for assistance with the road. In particular, the report examines the application of the Environmental Assessment Act to the project. As a case study on the application of the EAA to a northern project, this report provides compelling evidence of the need for certain amendments to the Act.

Some of these issues have been raised earlier in our study, and are further underlined by the Detour Lake road experience.

This section will examine issues raised by the facts reported in the Road to Detour Lake, and discuss those issues in relation to the Environmental Assessment Act and possible amendments to the EAA. The discussion assumes that the reader is well acquainted with both the Road to Detour Lake and the EAA.

A. The Ontario vs. Quebec Issue

Time was inordinately paramount to all other concerns in this case because the Province of Ontario perceived itself to be constantly under the threat of losing the entire economic spin-offs from the mining project to Quebec. Since the mine is quite close to the Quebec border, road access from Quebec is only a distance of 40 km, compared to 100 km access in Ontario. The Quebec government had already offered the mining consortium road access and hydro at no cost to the company. Thus, Ontario

felt pressured by the threat of losing the whole project to Quebec.

From an environmental management standpoint, access from Quebec might have made more sense. Quebec access was half the distance and would make use of an existing remote access road. It is also possible that a Quebec road would not have disturbed private remote cottages and commercial fly-in fishing camps, as would Ontario access.

Had the mining consortium been paying for the road, it likely would have used Quebec access because the cost would be half that of Ontario road access. But in the discussions with Ontario, it was never suggested that Ontario would pay all of the costs of the road. So why, when the company apparently had a "no strings attached" offer of road access and hydro from Quebec, did it even enter into discussions with Ontario?

Does it not seem likely that the company had some reason for preferring Ontario access? This is speculation, but it is important because had Ontario realized that perhaps the company had some preference for Ontario access, the government may not have put itself in such a powerless position in its negotiations with the company, and the pressure of time may not have totally over-ridden the normal provincial planning and environmental assessment process. It appears that Ontario took the company's position (that they had no preference as to which province provided access) at face value, and allowed the company's time-frame for bringing the

mine into production to become the moving force behind their actions. Surprisingly, this was done in the absence of a firm commitment from the company to proceed with the mine. Such behaviour is typical of the "desperation economics" which characterizes so many resource development decisions in the North.

The proximity of the mine site to a provincial border raises another important issue. It is likely that two provinces will compete for the economic benefits of the development in such a situation, and it is likely that in so doing each province might give more weight to economic and political benefits, than to sound environmental management. It would be preferable, from an environmental and planning standpoint, to have a resource development within a 100 km radius of a provincial boundary assessed by a federal government authority, or to have an agreement between provinces for joint assessment by both.

It is interesting to note that the "MOE Guidelines - Detour Lake Gold Mine Access Road E.A." included, under the heading "Road Options": "From Quebec or Ontario". Thus, the Ministry of the Environment directed the proponent to assess the option of road access from Quebec. While it makes good sense to assess the Quebec road option from an environmental management standpoint, it is questionable whether the Ontario Ministry of the Environment, in administering the EAA, has the mandate or the jurisdiction to assess a Quebec road as an alternative to an Ontario road.

B. Access to a Mine vs. Access to a Region

The Report indicates that throughout the process there was disagreement and/or misunderstanding as to the purpose of

the road. Ontario's consideration of and preliminary decision to build the road arose because the mining company asked the Province to provide access to the Detour Lake mine. So, it would seem that the road's original purpose was to provide access to the mine.

Yet, very early in the process, the road was seen by some of the Ministers and Ministries involved as a Northeast Ontario Access Road, and promoted for that reason. At page 8, the Report quotes a preliminary investigation by the Cochrane District of the Ministry of Natural Resources thus:

"The road might eventually be Phase 1 of the road to Mooscnee."

At page 17, the interministerial committee minutes note that the Minister of Northern Affairs, at a March 1981 meeting of the Cochrane Board of Trade,

"noted the formation of this Committee and indicated that the mine development was one additional reason for building a development type road into the area."

Providing an access road to a mine site in order that a few towns might benefit from the economic spin-off is quite a different matter from building an access road to open up a remote area of northeastern Ontario. The author of the Report points out at page 12,

"According to one view of resource development, any kind of access into a remote region increases the incentive for further access to be established and for further exploration and development to be undertaken."

The Green Paper on Environmental Assessment clearly identified this kind of issue as one of the key reasons for providing for environmental impact assessment in Ontario. Although one could argue that the net effect of building the road would be the same, certainly the planning and decision-making process would vary according to the purpose. Since building a road into a region which has no other road access would have a regional impact, it would be sensible to assess the Detour Lake Road as an access road to northeastern Ontario. Assessing it as such may well require completion of a Northeast Strategic Land Use Plan (SLUP) by the Ministry of Natural Resources, a full program of public participation in the SLUP, taking in communities from Cochrane, Timmins and Moosonee, all the way east to the Quebec border, and possibly an Environmental Assessment of the SLUP itself, before an Environmental Assessment of the road could begin.

Because providing road access to a previously remote region had such far-reaching ramifications for that region, the detailed and time-consuming planning process described above is justified. However, that planning process requires a time-frame that would have been clearly impossible under the constraint of completing the road in time for the projected start-up of the mine. It appears that a high-level and private decision was made to trade off regional environmental planning and "controlled development" in favour of reaping the economic spin-off of the mine.

In the Detour Lake mine case, the mine development itself was not under the EAA because it was a private undertaking. And it was not clear for some time whether the road was under the Act, because the level of government financing and involvement had not been determined. The Ministry of the Environment took the position all along that if the government was going to have anything to do with the road, the

road was under the EAA. But, as the Report points out, at page 38,

"The Committee's preference, as discussions progressed, and as the minutes indicate, was to have the road exempted from environmental requirements."

It was not until the fourth Interministerial Committee meeting that the Ministry of the Environment set out, in a memorandum from its Deputy Minister to the Deputy Minister of Northern Affairs, "that the Environmental Assessment Act would apply to the construction of a road to Detour Lake site, regardless of the level of Provincial involvement in the undertaking" (Page 39). In fact, Environment's Deputy Minister goes on to reprimand the Ministry of Natural Resources for their attitude, stating "....I am rather surprised that questions on the applicability of the Act are being raised by members of your staff at this late stage." (Page 39).

It is noteworthy that the Ministry of the Environment, in the space of a year, moved from a position that the EAA did not apply to the road, to a position of exempting the road from the Act.

Does it make any sense to assess the social, economic and environmental impacts of a road to a mine, and not assess impacts of the mine itself? If the reason for government involvement in the road is to ensure that Ontario will reap the economic benefits of the mine development, does it not make sense to assess the mine, the economic benefits it will bring, and the social costs it will incur? "Need" is also an issue to be addressed under the EAA. How can the

"need" for an access road to a mine be assessed without consideration of the benefits of the mine itself?

The fact that the mine was not designated and thus could only be mentioned peripherally in the environmental assessment of the road made the assessment of the road almost a farce. One can almost understand the failing of the proponent to define the purpose of the undertaking in his environmental assessment document. For if he defined it simply as "to provide access to Detour Lake mine" he could only justify it in terms of the benefits of the mine, and discussion of the mine itself was beyond his terms of reference. Since Ontario's apparent interest in financing the road was to secure for Ontario the economic spin-off, does it not make sense to assess the mine? The only other way to assess the road would be to define it as an access road to northeastern Ontario and that, as we have discussed previously, would likely have led to considerable further delay.

In commenting on the Ministry's intention to bring private undertakings under the Act, some time in the future, the author of the Report comments,

"What the Detour Lake road case indicates is that attempts to enforce the applicability of the Act to government projects, as currently required, is difficult enough."

It is a sad commentary that government should have such a negative attitude towards its own legislation that it would attempt to avoid its application in the first place, and having failed at that, blatantly undermine it. But, the resistance of government ministries to compliance with the Act is no excuse for not extending it to apply to private

undertakings. Nor is it reason for avoiding designating at least some of the more significant private developments, such as Detour Lake mine. In the 8 years since the Act was passed, only 4 private undertakings have been designated: the Onakawana Lignite Mine near Moosonee, the Reed Forestry Development in northwestern Ontario, the Inco Spanish River dam and power station, and the Victoria Hospital waste incinerator in London, Ontario.

The Detour Lake Road story raises the exemption issue again. Late in the process of discussion and evaluation, the Ministry of Natural Resources issued a work permit to a Hearst contractor for the clearing of the right-of-way for the road. On February 11, 1981, about two weeks after this work permit was issued for clearing, an exemption order for clearing activities drawn up by the Ministry of the Environment was ratified as an Order-in-Council by Cabinet. The exemption order was carefully worded to state that the exemption of the clearing was not to be construed as implying any approval of the road, but clearly it was impossible for the clearing not to advance the acceptance of the road itself.

Thus, MNR issued a work permit for the clearing of the road two weeks before clearing activities were legally exempted from the Act, while all matters pertaining to the road were under the Act, and while the government review of the EA document was in progress! To add utter insult to injury, on January 23, 1981, while the government review was in progress, the Ministry of Northern Affairs issued a news release announcing the awarding of a contract to begin construction of the Detour Lake Road!

There are no criteria, either in legislation or in regulations, dealing with exemptions. In this case, the Minister of the

Environment, with Cabinet approval, exempted a public undertaking even while an environmental assessment of that undertaking was in progress. In other words, the Minister can "change his mind" at any time, for reasons of his own, without any criteria, without any public notice, without giving reasons, and without any direct public accountability.

The logical response when a proponent proceeds with an undertaking contrary to the Act and without the proper exemption is for the Minister of the Environment to apply the legislation, by prosecution for violation, by seeking an injunction from the courts, or by asking the Premier to order the offending Ministry to halt work. This was not done.

The Order-in-Council exempting the clearing operation did list reasons for exempting it, the strongest of which was "to ensure that 150 km of road can be completed on schedule by the time the mine becomes operational" (Page 70). The Report indicates that the terms and conditions of the order stressed that despite the clearing exemption, the road itself could only proceed after approval under the Act, and that this exemption was without prejudice to that decision.

Why would the proponent risk spending the money to clear the road when neither the road alignment nor the construction of the road had been approved? In light of the sequence of events surrounding the clearing exemption and the final exemption of the road itself, it is difficult to see these terms and conditions as anything more than an abuse of Ministerial discretion, or a rearguard action taken by a Ministry of the Environment that had been outflanked by the other Ministries.

Contrary to all the promises, terms and conditions surrounding the exemption of the clearing of the road on June 24, 1981, the Detour Lake access road was exempted from any further assessment. This was the final step in a series of manoeuvres designed to remove the Detour Lake road from the environmental assessment process.

D. Conclusions and Recommendations

The Detour Lake case, and this analysis of it, offer several clear and compelling options for reform. Five issues were identified in the foregoing discussion which will form the basis for our recommendations arising from the Detour Lake story. These are: the provincial boundary issue; the hidden proponent; assessing a public undertaking which is contingent on a private undertaking; the problem of excessive discretion; and the lack of enforcement of the EAA.

The Provincial Boundary Issue

The earlier discussion of the proximity of the mine site to the Quebec-Ontario border, and the implications of the interprovincial competition for the project, points to an unmet need. We lack a mechanism for assessing projects which are located close to a provincial boundary, and for determining which provinces should "get" the undertaking.

In a case such as Detour Lake it is logical that each province would compete for the economic spin-off of the project. But would access from Quebec be preferable, from an environmental management standpoint, or access from Ontario? It would be difficult for either Ontario or Quebec to decide that question objectively, because each has a vested interest in securing the project, and neither province has jurisdiction to decide which of the two should get the project. The problem points strongly to the need for cooperation between Quebec and Ontario and for an environmental assessment coordinated by both provinces or by the federal government.

Detour Lake is not an isolated case of an inter-provincial or federal-provincial dispute on an environmental matter. The test drilling by AECL for researching suitable deep-well disposal sites for nuclear wastes in northwestern Ontario offers a closely-related example. AECL is a federal agency and radioactive wastes come under federal jurisdiction, but the location of a disposal site in northwestern Ontario - were that to be proposed in the future - would have significant effects on the people of the North and Ontario. What body would assess such an undertaking - the federal Environmental Assessment Review Process (EARP), the Ontario Environmental Assessment Board, or both? Or would it escape assessment because each expects the other to carry out the assessment? For the project clearly has implications for both jurisdictions.

Similarly, the proposed dredging of the Keating Channel in Toronto, where the Don River meets Lake Ontario, met with a federal-provincial jurisdictional conflict. purpose of the dredging was to improve navigation and to prevent flooding. Local environmentalists were concerned that the dredging would disturb the channel sediment which likely contained serious concentrations of heavy metals and other contaminants. Since navigation is within federal jurisdiction, and the owner of some of the affected property, the Toronto Harbour Commission, an agency created by a federal statute, it was partially a federal matter. On the other hand, some of the property involved was under provincial control, and floodprotection is a provincial role. 49 Because we do not have a mechanism for resolving these jurisdictional conflicts, there is often undue delay, resulting in environmental degradation, or an ad hoc decision which is poor from

an environmental perspective. It is an issue that needs attention.

It is recommended that the Commission recommend to the Ontario Government that it take a leadership role in devising and promoting a mechanism for resolving inter-provincial and federal-provincial disputes on environmental issues. Such a mechanism should ensure that an assessment of appropriate scope is done in a timely manner whenever an undertaking may have significant impact.

The Hidden Proponent and the Non-Existent Undertaking 50

The Detour Lake story lucidly points to the problems that arise when an undertaking has no clear proponent. This situation creates undue delay in determining whether the undertaking is subject to the Act, and if so, in moving ahead with the EA process. This situation arises most frequently when there is a public project involving several ministries, any one of which could reasonably be the proponent. Since many provincial ministries have a blanket exemption under the EAA, the difference between having one ministry or another be the proponent, could mean the difference between the undertaking being subject to the Act, or being exempt.

Another variation on the same theme is the non-existent project or undertaking. The federal government has over the years refused to designate the proposed dredging of the Oshawa Second Marsh to deepen and extend the Oshawa Harbour. The reason always given is that no federal agency has yet made a firm decision to promote this project, although the City of Oshawa wants it to proceed. Meanwhile, federal agencies have restricted access to

the marsh and so they have raised the level of the water in the marsh. The provincial government has allowed decisions to be made about the disposition of adjacent lands which may affect the viability of preserving the marsh. OMB hearings have been held on the zoning of these adjacent lands. But no federal environmental assessment will be held until a federal department formally accepts responsibility for the undertaking.

It is recommended that the Commission recommend that the provincial government develop an interministerial mechanism for identifying a proponent and preventing delay in deciding that an undertaking exists for the purpose of the EAA.

Public Undertakings Contingent on Private Undertakings

The fallacy of assessing the Detour Lake road and not assessing the mine was discussed earlier. Again, the Detour Lake example is not an isolated instance. The Oshawa Second Marsh situation described above illustrates aspects of this public/private dichotomy. Similarly, the Victoria Hospital incinerator almost escaped assessment because the hospital was considered a "private" entity under the EAA. This example is discussed elsewhere in this brief.

Therefore, it is recommended that the Commission recommend that the Ontario Government adopt a policy of designating any private sector undertakings upon which a public sector project is contingent, if the public sector project is under the EAA.

The Problem of Excessive Discretion

We fully recognize and support the need for Ministerial and Cabinet discretion in managing the affairs of the province. However, the Detour Lake story forces us to reconsider the degree and nature of discretion with respect to the EAA.

The fact that the Detour Lake mine itself was not designated raises the possibility of abuse of discretion. The fact that the inter-ministerial committee was given a mandate to "facilitate the development" before any kind of cost/benefit analysis of the mine or the road was conducted, raises this issue. The Minister of Northern Affairs misused this discretion in announcing the construction of the Detour Lake road while the matter was under assessment. Finally, the action of Cabinet in exempting the road, while the project was under assessment and without public input or public reason, points to a serious abuse of discretion.

The best response to excessive discretion, however, may not be to remove all opportunities for the Minister or Cabinet to exercise their judgment. The specific actions of Ministers or of Cabinet mentioned above may indeed not be seen as abuse of discretion if we knew all of the information and considerations which led to those decisions. But the fact that the exercise of this discretion takes place totally in private, leaves the public suspicious that behind such decisions may be forces such as: a Minister's political self-interest, the influence of corporate powers, a minister's personal goals and aspirations, and favouritism. Therefore, the solution we see is two-fold. First, for those matters which are to be left to ministerial discretion, clear and precise policy, criteria and

guidelines should be drawn up, with public input. This would help to ensure that the Minister's private motives would not override considerations of the public interests.

Secondly, a number of very important decisions which are now discretionary, such as the decision to exempt a public project or to designate a private project, should become the jurisdiction of the Environmental Assessment Advisory Committee. Those decisions which we recommend become the Committee's jurisdiction have been discussed in detail in Section IV.

Lack of Enforcement

In May 1982, Ron Reid of the Federation of Ontario
Naturalists, represented by legal counsel from CELA,
successfully prosecuted the Minister of Transportation
and Communications and his Deputy Minister, for breach of
the EAA. The Minister had ordered that construction of
Highway 404 extension begin, without waiting for the
mandatory 30 days during which a member of the public
can request a hearing.

The situation cited above is strikingly similar to the issuing of a work permit for the clearing of the Detour Lake road, two weeks before the Exemption Order was passed. Although this was a clear transgression of the EAA, no legal action was taken against the Ministers, government officials, or private contractors involved. It seems that the government is unwilling to enforce its own legislation and to prosecute those who violate it.

Again, the decision to exempt illegal activities after-thefact rather than prosecute wrongdoers is symptomatic of a more widespread problem. The Ministry of the Environment has frequently refused to enforce its legislation in the past. Indeed, in 1978 a Royal Commission investigated whether the Ministry's failure to enforce the Environmental Protection Act against certain waste disposal companies resulted from a large donation from one of those companies to the Progressive Conservative Party of Ontario. Although the Commission cleared the Government of any wrong-doing, it recommended that the Ministry prosecute whenever its legislation is violated, rather than only as a last resort when cooperation between the Ministry and the transgressor has broken down.

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Government Resitance to the EAA

From the description of the history of EAA and CELA's role in raising public pressure for the passage of the Act, it seems fair to say that government was - at least - reluctant to pass the EAA. This viewpoint is supported by the lack of application and enforcement of the Act to date. The Detour Lake story further documents the resistance of various government officials to the environmental assessment process.

One can speculate that the source of this resistance is that many government officials see the EAA as causing delay, being burdensome and unncessary. However, the evidence doesn't support these views. When projects have been delayed, it has usually been because they were not feasible or advisable in the first place. The road to development is littered with such white elephants as the South Cayuga Waste Disposal facility, the Maple landfill site, the Darlington Nuclear Generating Station, the Reed tract, the Inco Spanish River dam, and the West Montrose Dam. All of these projects have died or

languished not because of the environmental assessment process; but because of problems which were or could have been revealed through the EA process.

The Commission should urge the Government to learn from the lessons of Detour Lake and take a more positive approach to the Environmental Assessment Act.

FOOTNOTES

- 1. Willms, J. et al., The Legal and Administrative Basis of Land Use and Environmental Decision-Making North of Latitude 50°-- A Guidebook and Selected Observations, Prepared for the Royal Commission on the Northern Environment by the Canadian Environmental Law Research Foundation, March, 1980, page 114 (hereinafter Willms).
- 2. Willms, page 113.
- 3. Cotton and Emond, "Environmental Impact Assessment," in Environmental Rights in Canada, Swaigen, ed. (Toronto: Butterworths, 1981), page 257 (hereinafter Cotton).
- 4. Cotton, pages 257-8.
- 5. Canadian Environmental Law Research Foundation (hereinafter CELRF), Second Report on Bill 94, 1971.
- 6. CELRF, Public Rights and Environmental Planning: A Preliminary Report, January, 1972.
- 7. Ontario Ministry of the Environment, Green Paper on Environmental Assessment, September, 1973 (hereinafter Green Paper).
- 8. CELA, Principles for Environmental Assessment, October, 1973 (hereinafter CELA White Paper).
- 9. CELA White Paper, page 20.
- 10. Bowden, Marie-Ann, The Use and Impact of Exemption Procedures on Ontario's Environmental Assessment Act, 1975, Master's Thesis, Graduate Programme in Law, Osgoode Hall Law School, Downsview, Ontario, September, 1981 (hereinafter Bowden).
- 11. Green Paper.
- 12. Bowden.
- 13. Smith, Barry E., Chairman, Environmental Assessment Board, "Practice and Procedures before the Environmental Assessment Board," September 1981.
- 14. Letter from George A. Kerr, Minister of the Environment, to John Swaigen, General Counsel, Canadian Environmental Law Association, July 25, 1977.
- 15. The Globe and Mail, Toronto, June 1, 1978.

- 16. CELA Newsletter, February, 1980, "Of Christians vs. Lions?"
- 17. See CELA Newsletter, February, 1981, "Environmental Hearings under Ontario's Environmental Protection Act: A Case Study in Political Interference."
- 18. Maurer, K. F., A Public Participation Program for the Ontario Environmental Assessment Board, February 22, 1978, page 86 (hereinafter Maurer).
- 19. Maurer, page 88.
- 20. CELA White Paper, October, 1973, page 80.
- 21. Porter, Arthur, Chairman, Report of the Royal Commission on Electric Power Planning, Government of Ontario, February, 1980, vol 8, page 44.
- 22. Fox, David, Public Participation in the Administrative Process, Ottawa: Law Reform Commission of Canada, 1979, Report No. 13, Advisory and Investigative Commissions.
- 23. Duncan, Linda, Resources to Public Intervenors; the Environmental Review Process, unpublished study prepared for the Alberta Department of the Environment, June 1979.
- 24. Responsible Regulation: Interim Report of the Regulation Reference, Economic Council of Canada, Ottawa, 1980.
- 25. Report of the Lancaster Sound Assessment Panel: Lancaster Sound Drilling, February 12, 1979, page 80.
- 26. Canadian Environmental Advisory Council, Environmental

 Assessment and Review Process, Observations and Recommendations

 November, 1971, page 4.
- 27. Cotton, page 274.
- 28. For example, the Green Paper states at page 14 that "Based on experience in Ontario and other jurisdictions, the costs incurred by the proponents of an undertaking in completing an environmental assessment are less than one per cent (.0013-.0076) of the total project development costs. As a percentage of feasibility analysis costs, environmental assessment expenditures on larger projects range between four per cent and seven per cent."

- 29. There is a wealth of research supporting the proposition that an expansion of legal rights does not create serious problems. For example, Swaigen, J. and Woods, R. E., "A Substantive Right to Environmental Quality," and Simon Chester, "Class Actions to Protect the Environment: A Real Weapon or Another Lawyer's Word Game?" in Environmental Rights in Canada, supra.; Ontario Law Reform Commission, Report on Class Actions, Toronto: Ministry of the Attorney General, 1982.
- 30. Green Paper, Introduction by the Honourable James A. C. Auld, Minister of the Environment, page 1.
- 31. E. A. Update, Vol. 1, No. 1, October 1976, page 2.
- 32. Letter from D. A. Chant to the Honourable William G. Davis, January 19, 1979.
- 33. Proceedings of a Workshop on the <u>Environmental Assessment Act</u>, 1975, and the <u>Private Sector</u>. Conducted by The Institute for <u>Environmental Studies</u>, for the Ontario Ministry of the <u>Environment</u>.
- 34. Ministry of the Environment, The Environmental Act and Municipalities, October, 1977, page 2.
- 35. Bowden.
- 36. "Metro Will Pay Dollars 39 Million for Dump With Shaky Future," Toronto Star, Saturday, October 16, 1982, page Al6.
- 37. Bowden, pages 60-62.
- 38. Bowden, page 92.
- 39. Bowden, pages 92-93.
- Ontario on Exemptions to the Environmental Assessment Act, May 27, 1981.
- 41. Letter from Arlin Hackman, Executive Director, Algonquin Wildlands League, to the Honourable William G. Davis, November 11, 1981.
- 42. See for example, Report of the Municipal Working Group, Recommendations for the Designation and Exemption of Municipal Projects under the Environmental Assessment Act, December, 1976.

- 43. Letter to the Public Interest Advocacy Centre from Richard L. Plunkett, Staff Ecologist, National Audubon Society, July 8, 1980.
- 44. Letter to the Public Interest Advocacy Centre from Charles Roberts, Director of Information, National Wildlife Federation, July 11, 1980.
- 45. The Honourable Harry C. Parrot, D.D.S., Minister of the Environment, "A Statement on Streamlining Waste Disposal Site Hearings," to the Provincial-Municipal Liaison Committee, June 22, 1979.
- The Environmental Assessment Act and Muncipalities, Ministry of the Environment, 1977, page 18; Interministerial Committee on Solid Waste Disposal, May 1979, page 22; Statement of Dr. Parrott, supra., at pages 4-5.
- 47. For a description of some of the difficulties the public has experienced in obtaining access to information from the Ontario Municipal Board, see Young, J. and Swaigen, J., The Environmental Assessment Process: Procedures and Practices, Prepared for the Public Interest Advocacy Centre, June, 1981. Since that study was done, the Ontario Muncipal Board has provided greater accessibility. For example, the Board has now made available to the public a coin-operated photocopying machine, a matter considered by the three previous Board chairmen and not acted upon by them.
- 48. Margaret Tanaszi, The Road to Detour Lake, Royal Commission on the Northern Environment, 1981.
- 49. Bowden, supra.
- 50. For examples of this problem in the federal environmental assessment and review process, see Cotton at page 252-253.

APPENDIX

Appendix I - Conclusion of the Workshop on the EAA and the private sector

9. Summary of Conclusions

- 1. The term "major undertaking" should be defined primarily in terms of environmental impact, and only secondarily in terms of project size or cost.
- Regulations defining projects as being major undertakings and designating such undertakings as being subject to the Act must be simple and clear in order to minimze any uncertainties.
- 3. A general inclusionary regulation defining major undertakings supplemented by a list of project types for which an EA is definitely required is the favoured approach.
- 4. Greater consideration must still be given to the manner in which plant expansions shall be handled.
- An initial list of projects which might be designated and/or exempted should be developed. Possible criteria for defining "major undertakings" in terms of environmental effects should also be prepared.
- 6. There should be maximum involvement of industry, government agencies and public interest groups in determining these list(s) and criteria.

- 7. A screening mechanism is required to determine the disposition of "grey area" projects and to review any exemptions and Class EA projects for bumping-up if necessary.
- 8. The nature and composition of the screening body requires further consideration.
- 9. A consultative "scoping and triggering" procedure is desirable, particularly in defining feasibility studies and Class EA's, but more consideration must be given to how such a procedure might work.
- 10. The entire private sector should be brought under The EA Act simultaneously.
- 11. An estimate of the anticipated workload for MOE and the EAB from private sector projects would be helpful.
- 12. Consideration should be given to the development of a program assisting small businesses through the EA process.
- 13. Institution of a general reporting mechanism whereby MOE and the public is informed of any planned new projects and expansions should be considered.
- 14. The education of the private sector with respect to the nature and requirements of EA must begin now.
- 15. Given clarity about WHO must prepare an EA, WHEN in the approvals process the EA must be completed, and WHAT the contents of an EA must include, there should be no problems with respect to appropriate triggering of the EA process.

- 16. The question of how many alternative project sites must be considered in an EA remains to be settled.

 Proponents should be required to put forward an acceptable or "least worst" site, but not necessarily the best site.
- 17. Time limits on the EA process and on approvals granted under The EA Act should be considered to avoid "locking up" of any one site or market, and to engender confidence that the EA approvals process will not result in undue delays.
- 18. Land acquisition by private operators should not come under The EA Act.
- 19. Where land acquisition is of such a scale as to incur significant environmental impacts, such acquisition should be specifically designated under the Act.
- 20. Proponents should be encouraged to take out options to purchase on alternative potential project sites.
- 21. Site ownership should not influence the final decision of the Minister or the Environmental Assessment Board.
- 22. While jurisdictional overlap is not necessarily bad, co-operative procedures of affected jurisdictions must be developed to ensure a single, streamlined approvals procedure is available to the proponent.
- 23. Clarity in the designation of projects and wide public participation in this procedure will minimize confusion and conflict resulting from jurisdictional overlap.
- 24. Difficulties with the Class EA approach render its usefulness for the private sector questionable.

- 25. Exemptions on grounds of confidentiality should only be granted by the Minister, and only where it can be clearly shown that disclosure would have a detrimental effect on the proponent's business.
- 26. Careful consideration should be given to the monitoring of projects approved under the EA process for compliance with conditions of approval.



CHN

Motus Pro Flumine Albano Liberando Civilis

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2L0

> Rec'd Dec. 8/82

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THIS SUBMISSION AS BEEN PREPARED
WITH THE FINANCIAL ASSISTANCE OF THE
ROYAL COMMISSION ON THE NORTHERN ENVIRONMENT,
HOWEVEL, NO OPINIONS, POSITIONS, OR
FECOMMENDATIONS EXPRESSED HEREIN
SHOULD BE ATTRIBUTED TO THE COMMISSION.
THEY ARE SOLLLY THE RESPONSIBILITY OF
RALPH MOONIAS.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

IN THE EARLY SIXTY'S THE ONTARIO GOVERNMENT,

UNDER PREMIER JOHN ROBARTS, STARTED A PROJECT IN

NORTHERN ONT RIO TO TAP HYDRO RESOURCES ON THE

ALBANY, ATTAWAPISKAT, EKWAN, WINISK, AND SEVERN RIVERS.

THE GOVERNMENT AT THAT TIME SPENT APPROXIMATELY ONE

111 JON DOWLARS ON THE PROJECT.

THIS WAS A FEASIBICITY STUDY TO DETERMINE THE

POTENTIAL OF DEVEPING THESE RIVERS HAS HYDRO RESOURCES.

THE ONTARIC GOVERNMENT HAD NOT RELEASED ITS

FIGURING AND CONCLUDION. WE ARE AWARE, HOWEVER,

THAT THE PROPES WHO DID THA STUDY WERE THE ONTARIC

WATER RESOURCES COMMISSION, AND FEDERAL DEPARTMENT

OF THE STUDY BEGIN BECAUSE OF PROPOSALS FOR A SERIES

OF HUGE HYDRO ELECTRIC POWER PROJECTS ON THE RIVERS

AND ALSO TO DIVERT MORE WATER INTO THE GREAT LAKES.

DURING I PARTIAMENT RY SESSION ON WEDNESDAY,

JULY, 9, 1969, KEITH PENNER, THEN LIBERAL M.P.

FOR THUNDER BAY AT THAT TIME, PUT QUESTIONS TO

THEN MINISTER WITHOUT PORT FALIO, OTTO LANG,

CONCERNING THE POSSIBLE DIVERSION OF THE HUDSON

BAY WATERSHED INTO LAKE SUPERIOR. HE WAS RULED

OUT OF ORDER. HOWEVER, ON THUR DAY, JULY, 10,

1969, MR. PENNER SAID THAT A 2,100,000,000. PLAN

DOES EXIST FOR A DIVERSION SCHEME. UP TO THAT TIME,

NO. GIVE IN NORTHWESTERN ONTARIO WAS CONSULTED.

HE SAID THAT THE PLAN WAS PRESENTED TO A FEDERAL

COMMITTEE IN 1964 AND THAT A NUMBER OF PROGRESS

REPORTS HAVE BEEN MADE SINCE.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

AS WE ALL KNOW BY NOW, THE PLAN EALLS FOR A STRING OF DAMS STRETCHING 300 MILES ALONG THE ALBANY RIVER. BESIDES PROVIDING POWER, EVENTUALLY MAKING ONTARIO SELF-SUFFICIENT IN ELECTRIC ENERGY, THE SYSTEM WILL FORCE THE ARCTIC WATERSHED TO FLOW INTO THE GREAT LAKES AND MAKE IT POSSIBLE FOR CANADA TO SELL MASSIVE QUANTITIES OF PURE WATER TO THE UNITED STATES.

TO GET AWAY FROM THE SUBJECT FOR A MINUTE, LET'S HAVE A QUICK LOOK AT THE WABOOSE DAM ON THE OGCKI RIVER AND WHAT EFFECTS IT HAD ON THE ENVIRONMENT.

IN THE 1940'S, THE ONTARIO HYDRO COMMISSION, NEEDING MORE ELECTRICITY AND THEREFORE MORE WATER FOR THE GENERATORS AT NIAGARA FALLS, BUILT THIS OGOKI RIVER PROJECT AT WABOOSE ONT RIQ, USING THE WATER FROM THE OGOKI RIVER.

THE OGOKI RIVER HAS FLOWED PEACEFULLY FOR
MILLIONS OF YEARS, THROUGH THE PRIMEVAL FORESTS OF
NORTHERN ONTARIO INTO JAMES BAY. THIS USED TO BE
A MAJOR SPAWNING AREA FOR STURGEON ON THEIR EARLY
SPRING RUN. THE PEOPLE USED TO SPEAR THEM AT EBBY FALLS,
A MAJOR FOOD SOURCE FOR THEM DURING THE SUDMER MONTHS,
THE MATTER WAS TURNED, OFF IN THE LATE FOURTES,
TODAY THERE IS NO STURGEON ON THE OGOKI RIVER BECAUSE
THERE IS NO WATER. BY BUILDING THE DAM AT WABOOSE,
HYDRO DIVERTED THE WATER FROM JAMES BLY AND CAUSED IT
TO FLOW OVER THE DAM INTO LAKE NIPIGON THROUGHITHE
JACKFISH RIVER AND INTO THE GREAT LAKES SYSTEM AND
DOWN THE ST. LAWRENCE RIVER.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

THOUSANDS OF SQUARE MILES OF ICE COLD WATER

LOCKED UP REHIND THE RESEVOIR, THE WATER ONCE DESTINED

FOR JAMES BAY. THE DIVERSION PROJECT NOW POUR AN

AVERAGE OF 108,000,000, GALLONS OF WATER PER HOUR,

ABOUT 2.5 BILLION GALLONS PER DAY, INTO LAKE NIPIGON

AND THE REST OF THE SYSTEM. THE ORIGINAL WAS TO DIVERT

A MODEST 4,000 CUBIC FEET PER SECOND. BUT THIS HAS

BEEN INCREASED TO 80,000 FEET PER SECOND.

IN TERMS OF GALLONS, THIS REPRESENTS ABOUT 485,000

CUBIC FEET PER SECOND OR ABOUT 29,100,000 GALLONS PER

MINUTE. GREAT LAKES WATER LEVELS HAVE RISEN 3 FEET

ABOVE NORMAL AND LAKE NIPIGON HAS BEEN KNOWN TO

TO SIX FEET AT TIMES ABOVE NORMAL. THIS INTRODUCTION

OF ICE COLD WATER INTO THE GREAT LAKES HAS ALSO SLIGHTLY

CHANGED THE CLIMATE. BUT THAT IS ANOTHER MATTER.

WE WILL NOW CONCENTRATE ON THE OGOKI RIVER BELOW THE DIVERSION DAM. THE OGOKI PEOPLE USED TO GO UP THE OGOKI RIVER TO FISH AND HUNT FROM OGOKI POST AND ALL THE WAY TO OGOKI LAKE. THEY USED TO FISH FOR STURGEON ON THE RIVER AND LAKE TROUT ON THE OGOKI LAKE, THIS WAS TRADITIONAL. THEY HAD DONE THIS FOR DECADES AND THEIR ANCESTORS HAD DONE THE SAME FOR CENTURIES.

STURGEON HAD SPAWNED HERE FOR COUNTLESS
MILLENNIUMS. STURGEON ARE LIKE A SHARKLIKE FISH
OF THE ACIPENSERIDAE FAMILY NATIVE TO THE NORTHERN
HEMISPHERE, THEY ARE RELATED TO THE PADDLEFISH.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

STURGEON HAS BEEN AROUND FOR A FEW MILLION
YEARS. EVEN TODAY THEY LIVE FROM ANYWHERE FROM
200-300 YEARS. MOST SPECIES LIVE IN THE SEA AND
ONLY ASCEND FRESH WATER RIVERS TO SPAWN.

OUR PARTICULAR STURGEON IS A SCAPHIRHYNCHUS, OR
LITTLE KNOWN AS THE SHOVEL-HEAD STURGEON. THIS
IS A FRESH WATER SPECIES. THE OGOKI RIVER USED
TO BE FULL OF THEM, THERE ARE NONE TODAY.

PECAUSE STURGEON IS A LARGE FISH AND BECAUSE THEY
SUCK THEIR FOOD OF LAKE OR RIVER FLOOR, THEY ARE
VULNERABLE TO MERCURY POISONING. STURGEON TODAY
IS NOT A MAIN FOOD SOURCE FOR THE PEOPLE. IT IS
HAZARDOUS TO YOUR HEALTH IF CONSUMED IN LARGE

WHEN WABOOSE DAM CLOSED ITS GATES IT FOREVER CHANGED THE LIFESTYLE OF THE OGOKI PEOPLE. FOR ONE THING OGOKI IS NOT NAVIGABLE ANYMORE. THAT IS, YOU CAN "T JUMP INTO YOUR CANOE AND PADDLE TO OGOKI LAKE LIKE BEFORE. WE HAVE A MAN WHO LIVES ON THE OGOKI RIVER ABOUT ONE MILE UP FROM THE CONFLUENCE. TO ILLUSTRATE THE AMOUNT OF WATER ON THE OGOKI RIVER. THE FOLLOWING IS HOW HE GETS TO THE STORE: FIRST, HE WALKS DOWN THE OCCUI RIVER AND THEN CROSSES OVER AN ISLAND AND PADDLES ACROSS THE ALBANY TO THE STORE. GOES HOME THE SAME WAY. HE PADDLES ACROSS THE ALBANY RIVER AND WALKS BACK UP THE OGOKI RIVER TO HIS CABIN. THIS IS CAUSED BY ONE SMALL DAM, (COMPARED TO OTHER DAMS) THE POINT WE ARE MAKING IS TO AMAGINE WHAT A SERIES OF DAMS, MUCH LARGER THAN THE WABOOSE. WILL DO TO THE ECOLOGICAL SYSTEM. THE PEOPLE AND THE LAND.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

THERE ARE RETIFIE SOUPONS WHIT CLAIM THE
THIT THE RISING OF THE GREAT LAKES BY THE WATER
DIVERTED PROM THE AROTTO WATERSHED HAS CAUSED WORK FOG
RAIN, HALL, PLOODS, GYGLONES, ALONG THE GREAT LAKES
AND ICS ENVIRONS. IF THE GREAT LAKES RAISE HAS
THELY THEY TILL BE, IF THE ALPANY DIVERTION STOCKEDS,
WHAT WILL THE GLIMATE RE LEEST THE EFFECTS OF THE HYDRO
TIPLE PROPOSED HIL MAKE MABORSE DAY LOCK LIVE A
HIDTE DAY ON CREEK. THEY FABORSE DAY PERAN POTRING
BILLIONS OF GALLONS OF WATER PER DAY IN THE LATE POTRITS.
IT CAUSED MURLIONS OF DOTLARS OF PROPERTY ALONG THE
SHORES OF THE GREAT LAKES.

WE WITE THE DETENT OUTS ADDITION OF THE PROPOSET EXIORS STRONGED COURTY ALVANG THE TENNE AND MEST INC OF THE PROPERTY OF THE PER SECTION OF THE PERSON OF THE PE IT ATT. THUS WITH HE AND WHAT ERREDT IN WILL HAVE ON FIG. CTUTIES, AND OVERS HERED O. THE SCHOOLING INPASTS TILD BE DEVASTING. IN ONE THING, IF THE PROPOSED DIV AS ILBURED A DISTRICT REPORTS OF THE TANK OF THE TOTAL OF THE TOTAL OF THE TOTAL OF THE TANK OF THE TA TO BE TO U.S. THE CONCENTED OF COOPE POST WILL BE UP DO 5-10 PERT UNDER WATER. SO MICH TEAT. SINGE BOAT HOUSES ARE OUT OF THE CURSTION, THE ONLY FIGERNATIVE IS RELOCATION. RELOCATION, THE WORD IDEALF ROLLS OF THE TOWFUE, RUD ITS IMPLICATIONS ARE TREMENDOUS. WHEN YOU UP-ROOM A PEOPLE WHO HAVE LIVED ON THE SAME LAND FOR A LIFETIME, YOU ARE MERELY REMOVING THEM AND PLACING THEM ON ANOSHER LOCATION, YOU ARE IN ROOT DESIROSING THEM.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

ATT HE BEGINNING I HAD NOT PLANNED TO PONTITICATE
YOU WILL FORGIVE ME IF I GET EMOTIONALLY INVOLVED,
I MUST CONTROL MY PASSION ON THIS SUBJECT, I WILL
TRY TO BE COLDLY ANALYTICAL. SINCE THE ACTUAL
FLOODING OF THE OGOKI VILLAGE AND THE CONSEQUENT
REMOVAL OF THE INHATANTS HAS NOT COME TO PASS YET,
WE WILL HAVE TO CREATE A HYPOTHETICAL SITUATION
RESEMBLING THE ACTUAL OUTCOME OR CONSEQUENCES OF
A FLOOD CAUSED BY THE BUILDING OF A HYDRO ELECTRIC
DAM AT THE WABAMETG AND STONEBASKET PROJECT SITE.
HOPEFULLY, THE RELOUATION CAN TAKE PLACE BEFORE
THE GATES ARE SHUT AND THE COUNTRYSIDE IS TRANSFORMENT
FOR ALL TIME.

BUT WHERE WILL WE BE RESETLLED? WHERE IS THE NEW FROMISED LAND? IT HAS TO BE SOMEWHERE, WE WILL ADSULE THAT IT IS IN ONTARIO. WHAT ABOUT THE ACTUAL GEOGRAPHICAL LOCATION? WILL IT BE NORTH. SOUTH, WEST, OR EAST? IT CAN'T BE THE ATTAWAPISKAT RIVER BECAUSE THAT WILL BE FLOODED TOO. IT CAN'T BE THE EKWAN, OR THE WINISK, OR THE SEVERN. ALL THESE WILL BE FLOODED. IT SEEMS THIS WILL BE THE BIG INSUE CONCERNING THE PLIGHT OF RESIDENTS OF THE MARTEN FALLS BAND. WHERE WILL THEY BE RELOCATED. TFIS DECISION SHOULD BE LEFT TO THEM AND NOT SOME GNOME LIKE BUREAUCRAT IN THE SOUTH. AS WIDE AS COICE SHOULD BE MADE AVAILABLE TO THE BAND. THE THE GEOGRAPHICAL LOCATION SHOULD NOT BE TO DISTANT FROM THE PRESENT LOCATION. THE RESERVED LANDS WOULD HAVE TO BE TRAFERRED TO THE NEW AREA, SINCE THE PRESENT LAND WILL BE A FEW FEET UNDERWATER.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

THE BIGGEST SOCIAL IMPACT WILL BE THE UP-ROOTING OF A WHOLE COMMUNITY TO ANOTHER PLACE. NO DOUBT THIS WILL PROVE TO BE TRAUMATIC FOR THE ENTIRE POPULATION. IT WILL TAKE YEARS, GENERATIONS, BEFORE

NOW WE COME TO THE MONETARY SETTLEMENT. FOR OBVIOUS REASONS, WE CAN NOT LAY OUR CARDS DOWN ON THE TABLE AT THIS POINT IN TIME. THERE IS A NUMBER OF FACTORS THAT HAVE TO BE CONSIDERED. THERE ARE TWO MAJOR ISSUES THAT HAVE TO BE RESOLVED:

(A) THE FLOODING OF RESERVE LANDS,

WE CAN CALL THE NEW PLACE "HOME".

(B) THE FLOODING OF TRAPPING AND HUNTING GROUNDS.

THE FLOODING OF RESERVE LANDS MUST BE CONSIDERED

BECAUSE OF THE PROPERTY THAT WILL BE DESTROYED

WITHIN THE MARTEN FALLS RESERVE. THE VALUE OF THE

RESERVE LAND AND EACH INDIVIDUAL PROPERTY CAN BE

DETERMINED AND ANY SETTLEMENT CAN BE REACHED A

WITHIN A REASONABLE TIME.

THE FLOODING OF TRADPING AND HUNTING GROUNDS WILD PRESENT A MORE DIFFICULT PROBLEM BECAUSE OF THE VALUE OF WHAT IS BEING DESTROYED BY DELUGE WILL BE HARDER TO ASCERTAIN. THE FOOD SOURCE WILL DIMINISH BECAUSE THE MOOSE AND CARIBOU HERDS WILL MIGRATE TO ANOTHER AREA, IF THEY DON'T DROWN FIRST. HOW LONG AND HOW FAR CAN THEY SWIM? THE ICOME OF THE TRAPPELS WILL BE REDUCED TO ZERO. THERE ARE APPROXIMATELY TWELVE TRAPLINES IN THE MARTEN FALLS AREA.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2L0

THIS AREA INCLUDES OUR TADITIONAL TRAPPING AND HUNTING GROUNDS THAT STRETCH FROM MAKOKIBATAN LAKE, IN THE WEST, HENLY RIVER, IN THE EAST, GOODS LAKE, IN THE NORTH, AND LITTLE CURRENT, IN THE SOUTH, IN A ROUGH SQUARE AREA. THE VALUE OF THESE THOUSANDS OF SQUARE HECTARES OF LAND CAN BE DETERBINED BY THE ONTARIO GOVERNMENT AND THE FEDERAL GOVERNMENT WHO OWN THE LAND BECAUSE OF THE TREATY NO. 9 SIGNED AT MARTEN FALLS OUT ON JULY 1905. I WOULD LIKE TO DIGRESS A BIT HERE BY SAYING THAT BOTH LEVELS OF THE GOVERNMENT HAVE COME TO CHOSE THE POINT OF TOTALLY TGNORING THE TREATY. THE GOVERNMENT OF ONTERIO AND C. NAD. SHOULD BE REMINDED THAT THEY MADE A COMMITTMENT TO THE IDIANS THAT THEIR WAY OF LIFE AND TRADITIONAL HUNTING GROUNDS SHOULD NEVER BE VIOLATED .. IT WAS ONLY AFTER THIS CONDITIONENT THAT THE IDIANS SIGNED THE AGREEMENT KNOWN AS TREATY NO. 9. GETTING BACK TO ISSUE AT HAND, LET US FIGURE OUT THE TOTAL HARVEST OF VILD ANIMAL PELTS TAKEN FROM THE TO NEVE THE PLINES. IN THE 1979-80 SEASON, WHICH NAS THE LAST SEASON FROM WHICH WE HAVE STATISTICS. THE TRAPPERS OF OGOKI HARVESTED A TOTAL OF 4,974 PELTS, VALUED AND SOLD FOR \$154,160.00 FOR AN AVERAGE OF \$12844.17 FROM EACH OF THE TWELVE TRAPLINES. THIS WAS THE HIGHEST PRODUCTION CONCENTRATED ON ONE AREA ANYWHERE IN THE PROVINCE OF ONTARIO. THE TRAPPERS OR NOT ANY BETTER THAN THE TRAPPERS ANYWHERE ELSE, .. PER SE, THE PRODUCTION IS HIGH BECAUSE OF THE ABUNDANCE OF FUR BEARING ANIMALS IN THE AREA, THEREBY MAKING THE LAND MORE VALUABLE TO THE TRAPPERS AND THE FUR INDUSTRY.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2L0

WHEN MONETARY SETTLEMENTS ARE NEGOTIATED,

ALL OF THIS WILL HAVE TO BE BROUGHT INTO PROSPECTIVE.

HOW MUCH WILL EACH TRAPPER BE COMPENSATED FOR?

FOR THE DESTRUCTION OF HIS SOURCE OF INCOME AND

LIVELIHOOD, WHAT KIND OF VALUE SHOULD BE PLACED ON

THAT? WILL A SETTLEMENT INVOLVING A FEW INFLATED AND

DEVALUED CANADIAN DOLLARS HAVE ANY MEANING? TRUE,

THERE HAS TO BE SOME SORT OF COMPENSATION. A SETTLE—

MENT INVOLVING LAND AND CASH WILL HAVE TO BE NEGOTIATED

BEFORE THE ACTUAL PHYSICAL CONSTRUCTION OF THE PROJECT.

WHICH BRINGS US TO ANOTHER GROUP OF PEOPLE WHO ARE EXTREMELY WORRIED ABOUT THE EFFECTS OF THIS PROJECT WILL HAVE ON THEIR SOURCE OF REVENUE, MORE TO THE POINT, THEIR MEANS OF LIVING. I AM REFERRING THE THE TOURIST CAMP OUTFITTERS FROM THE TREATY NINE AREA WHO OPERATE CAMPS ON THE ALBANY, ATTAWAPISKAT, WINISK, AND SO FORTH. FOR INSTANCE, WE WILL TAKE JOHN BAXTER'S OJIBWAY COUNTRY CAMPS HAPPENS TO BE RIGHT IN THE MIDDLE OF THE MOST AMBITIOUS PROJECTS BETWEEN THE WABAMIEG PROJECT AND THE TOM FLETT PROJECT ON THE ALBANY RIVER AND THE TWO PY ISLNAD PROJECTS ON THE ATTAWAPISKAT RIVER. I'M SURE HE IS NOT THE ONLY OUTFITTER THAT WILL BE AFFECTED. THERE IS ALSO CONVENIENT FISHERIES THAT WILL BE DISRUPTED. NOT TO MENTION WILD RICE STANDS AROUND THE NORTHWEST CORNER OF THE TREATY NINE AREA. WHEN WE SPEAK OF MONETARY SETTLEMENTS, WE HAVE TO TAKE ALL THESE INTO CONSIDERATION. WE KNOW THAT THE HYDRO ELECTRIC PROJECTS WILL GENERATE A LOT OF MONEY FOR THE PROVINCE, ANY CASH PAYMENTS INVOLVED IN A SETTLEMENT WILL HAVE TO COME FROM THE REVENUE OF THE PROJECT ..

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2L0

PERHAPS WE CAN SHARE THE ROYALTIES FOR A FISED PERIOD OF TIME, SAY 20-40 YEARS. THIS TYPE OF SETTLE- 1 MENT WOULD PROCURE THE ESSENTIAL CAPITAL OR CASH-FLOW THAT IS NOW NON-EXISTENT IN OUR NATIVE ECONOMY, TO PUT US ON THE ROAD OF SELF-SUFFICIENCY IT A LOCAL LEVEL; AS APPOSED TO A ONE-SHOT PAYMENT, WHERE 90% OF THE MONEY WOULD BE SQUANDERED BY A PEOPLE WHO ARE NOT USED TO ** HANDLING LARGE AMOUNTS OF MONEY. A STEADY CASH-FLOW IN THE FORM OF ROYALTIES FROM THE PROJECT REVENUES WOULD ENSURE THAT THE MONEY IS USED INTELLIGENTLY AND PRODUCTIVELY BY THE BANDS INVOLVED. ON THE OTHER HAND, WE HOPE THAT THIS SCENARIO WILL NEVER TAKE PLACE. WE KNOW THAT THE GOVERNMENT KNOWS THAT EVERBODY HAS A PRICE. ANYBODY AND EVERBODY CAN BE BOUGHT. TO PARAPHRASE MARIO PUZO, WE CAN BE MADE AN OFFER WE CAN'T REFUSE. TO BE SURE WE WILL FIGHT FOR OUR RIVER TO THE BITTER END, ALTHOUGH WE KNOW THE GOVERNMENT WILL WIN AND HAVE ITS WAY IN THE END. QUEBEC IS A VERY GOOD EXAMPLE FOR THOSE OF US WHO DREAM OF STOPPING THIS PROJECT. BILLY DIAMOND AND THE BOYS OVER THERE GOT SCREWED REAL GOOD BY ROBERT BOURASSA. WE SHOULD TAKE CHRE THAT WE DON'T GET SMOOTH TALKED OFF OUR ASSES.

11

THIS NOW BRING US TO THE FINAL PART OF OUR SUBMISSION. WHAT WILL HAPPEN TO THE FISH, WATERFOWL AND WILDLIFE WHEN THE NATURAL HABITAT IS DISRUPTED? WELL, WE HAVE NO NATURALIST, OR BIOLOGISTS HERE IN OGOKI, SO WE WILL HAVE TO GIVE YOU OUR ANSWERS IN LAYMAN'S TERM. LET'S START OF WITH A STORY, A TRUE STORY ABOUT FISH.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

WAY BACK WHEN I WAS A YOUNG BOY, I USED TO HANG AROUND WITH MY GRANDFATHER JOSEPH ALL THE TIME. THERE USED TO BE THIS RIVER, 9ITS STILL THERE) THAT RAN INTO THE RIVER ATTAWASPISKAT FROM A LAKE TEN MILES AWAY, IT USED TO BE MILES THEN, EVER SUMMER THE WHITERISH USED TO RUN UP TO THE LAKE FOR SPAWNING SEASON, AND THEN THEY WOULD COME BOCK DOWN IN THE FALL. BUT ONE SUMMER A COLONY OF BEAVERS DECIDED TO SETTLE ON THE RIVER. NOT FAR FROM THE LAKE. AS BEAVERS USUALLY WIEL. THEY BUILT A DAM, ACROSS OUR RIVER, DAMN IT. I WAS TO YOUNG TO KNOW OR CARE WHAT HAVOC THE BEAVER DAM WOULD CAUSE. MY GRANDFATHER SEEMED TO BE A BIT AGITATED BY THE AUDACITY OF THE BEAVERS, SINCE THE ANIMALS MEANT INCOME TO HIM, HE WAS RELUCTANT TO DESTROY THE COLONYA WINTER CAME. COLD AND MERCILESS, PUTTING HALF OF THE WORLD TO SLEEP. DURING THE MONTHS OF OCTOBER AND NOVEMBER. MY GRANDFATHER USED TO COME HOME WITH A LOT OF WHITEFISH. HE SAID HE PICKED THEM OF THE BEAVER DAM. WHEN SPRING CAME THE ICE FROM THE LAKE MELTED. WE SAW HUNDREDS OF DEAD FISH FLOATING AROUND ON THE LAKE. THESE FISH DIED BECAUSE THE DAW HID BLOCKED THEIR ESCAPE ROUTE. MOST OF THE LAKE FREEZES TO THE BOTTOM EVERY YEAR. THE BEAVER DAMS HAVE BEEN THERE EVER SINCE, TODAY THERE ARE NO WHITEFISH ON THAT LAKE. THERE HASN'T BEEN ANY SINCE THE BEAVER CAME. THE ONLY WAY WECAN HAVE FISH ON THAT LAKE IS TO RAISE THE LEVEL OF THE LAKE PERMANENTLY AND PLANT A HYBRID SPECIES. A: HYBRID SPECIES WILL LIVE AND SPAWN ON THE SAME LAKE, ALL ITS NATURAL LIFE: A GOOD EXAMPLE IS THE LAKE TROUT AND SPLAKE HYBRIDS IN LAKE ONTARTO.



POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

THEY DON'T HAVE THAT PRIMEVAL URGE TO GO AND DUMP THEIR ROE IN SOME FAR OFF DISTANT LAKE LIKE ORDINARY FISH FO. THE SAME THING WILL HAPPEN BUT ON COLOSSAL SCALE WHEN THE HYDRO ELECTRIC PROJECTS GO UP. THERE WILL BE NO STURGEON, NO TROUT, NO PICKERAL, NO WHITEFISH, NO SUCKERS, NO NORTHERNS, (THANK GOD.) IN SHORT, THERE WILL BE NO FISH ON THE RIVER OR SERIES OF RESEVOIRS. ONCE THE SYSTEMS IS COMPLETE. WHAT ABOUT THE FISH IN JAMES BAY? THE BELUGA WHALE? THE MIGRATING SEALS? THE WATER LEVEL OF JAMES BAY HAS ALREADY GONE DOWN BECAUSE OF THE QUEBEC HYDRO PROJECTS. IT WILL GO DOWN SOME MORE, MUCH MORE, WHEN THE PROJECTS IN NORTHERN ONTARIO ARE COMPLETE. MY GOOSE HUNTING FRIEND IN FORT ALBANY WILL HAVE TO GO QUITE A WAYS TO SHOOT WAVEYS. WHEN THE LEVEL OF JAMES BAY GOES DOWN. THE TEMPERATURE OF THE WATER WILL CHANGE AND CALL CERTAINLY AFFECT ALL THE FISH IN JAMES BAY. WHEN THE STOOPING RIVER PROJECT IS FINISHED THE PEOPLE OF FORT ALBANY AND KASHESCHEWAN NON'T EVER HAVE TO WORRY ABOUT FLOODS AGAIN. AS A MATTER OF FACT THEY MIGHT RUN SHORT OF FRESH WATER. WE HAVE A FAIR IDEA WHAT WILL HAPPEN TO THE FISH. WHAT IS THE ANSWER? LET THE POWERS THAT BE TELL US. SHORT OF SCRAPPING THE PROJECT, IF ICE CUBES CAN SURVIVE IN HELL. THERE IS NO ANSWERS FOR THE FISH. THEY WILL DIE. SOMETHING ALWAYS DIES WHEN MAN TINKERS WITH THE DELICATE BALANCE OF NATURE. SOMEDAY WE MAY DIE BECAUSE OF IT TOO, .. THE EARTH IS SACRED. IT WAS MEANT TO SUPPORT LIFE JUST THE WAY I'T WAS CREATED.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

TP TAK ALTERS THE NATURAL STATE OF THINGS,

HE IS LIKE A DOCTOR GONE BERSERK, TWIRLING THE

KNOBS AND DIALS OF THE LIFE SUPPORT SYSTEM OF

HIS PATIENT. WHAT ABOUT WATERFOOL? THEY, PERHAPS,

MORE THAN ANY OTHER SPECIES WILL BE ABLE TO ADAPT

TO THE CHANGES. MOST WATERFOWL WILL CHANGE THEIR

NESTING SITES EACH YEAR, EVEN IF THEY BREED ON

THE SAME LAKE EVERY YEAR. THIS AN ENCOURAGING

TRAIT. THIS MEANS IF THE LAKE SHOULD GET BIGGER

ALL OF A SUDDEN, IT WON'T BOTHER THEM AS MUCH AS

OTHER LIVING THINGS, THEY MIGHT HAVE A HARD TIME

FINDING SOMETHING TO EAT FOR AWHILE, BUT ENOUGH OF

THEM SHOULD SURVIVE THE INITIAL SHOCK SO THAT

NOW NOW WE WILL HAVE A LOOK SEE WHAT WILL HAPPEN TO THE LAND ANIMALS. LIKE MOOSE, CARIBOU, BEAR, WOLF, FOX, MARTEN, THERE ARE HUNDREDS OF OTHER SPECIES, FROM FIELD MOUSE TO THE MOOSE. MOST CERTAINLY THE ONES IN THE IMMEDIATE AREA WILL NO DOUBT PERISH. HOW LONG CAN A MOOSE TREAD WATER? LARGER ANIMALS CAN SURVIVE BETTER BECAUSE THEIR HABITAT IS THE SAME ALL OVER ONTARIO. THE CARIBOU MIGHT HAVE PROBLEMS. THESE ARE THE WOODLAND CARIBOU, I'M WRITING ABOUT AS APPASED THE TUNDRA CARIBOU WHICH MIGRATE TO THE ARCTIC EVER SUMMER .. WOODLAND CARIBOU DO NOT MIGRATE. THEY LIVE AND BREED HERE IN NORTHERN ONTARIO. WE HAVE TWO HERDS IN THE VICINITY OF OGOKI POST. ONE HERD ROAMS BACK AND FORTH FROM LAWRENCE LAKE NORTH OF THE ALBANY TO QUANTY LAKE SOUTH OF THE ALBANY. THE OTHER HERD ROAMS BETWEEN STONEBASKET LAKE AND PYM ISLAND ON THE ATTAWAPISKAT RIVER.

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2L0

WE DON'T KNOW HOW FAR EAST AND WEST THEY GO.

THE HERDS ARE ALWAYS THE SAME SIZE. LAST WINTER,

TWENTY-SIX CARIBOU WERE SHOT BY BAND MEMBERS OF OGOKI

POST. AT LEAST THAT MANY AND MAYBE TWICE THAT MANY

CALVES WILL SURVIVE TO ADULTHOOD. THESE ARE CALVES

THAT ARE DROPPED IN THE SUMMER. THESE HERDS WOULD

HAVE TO SEEK NEW HABITATS BECAUSE THEIR AREA WILL BE

FLOODED BECAUSE OF THE CHARD, STONEBASKET, PALISTER

LAKE, PYM ISLAND, AND BUFFULOSKIN PROJECTS.

HAS WE SAID BEFORE, THE AMOUNT OF FUR-BEARING ANIMALS THAT WILL BE DESTROYED WILL BE TREMENDOUS. THEIR HABITAT WILL HAVE TO BE REARRANGED. EVEN THOUGH THEY CAN SURVIVE IN ANY PART OF ONTARIO. WILL THEY BE ABLE TO ESCAPE FROM THE ENROADING WATERS? ITS DOUBTFUL. THERE IS NO DANGER OF EXTINCTION HUE OF ANY SPECIES. BUT IT IS A SHAME TO DESTROY ALL THESE ANIMALS. A DIRTY SHAME. NOW WHAT ELSE CAN WE SAY? THERE IS NOTHING LEFT TO SAY. THE NEXT MOVE IS UP TO THE ONTARIO GOVERNMENT. WE DO NOT WANT ANOTHER DENIAL. THE CAT'S OUT OF THE BAG .. ANOTHER DENIAL WOULD ONLY FURTHER TARNISH THE GOVERNMENTS PRESTIGIOUS IMAGE. WE THINK ITS TIME TO LAY OUR GOODIES ON THE TABLE AND NEGOTIATE. THE NEGOTIATIONS WITH TREATY NO. NINE WILL TAKE YEARS BECAUSE OF THE NUMBER OF PEOPLE AND LAND MASS INVOLVED. THERE ARE ABOUT 15.300 PEOPLE IN TREATY NUMBER NINE AREA. NOT ALL OF THEM WILL BE AFFECTED DIRECTLY LIKE THE MARTEN FALLS BAND, BUT THE AND CERTAINLY THE CLIMATE WILL "CHANGE DUE TO THE MASSES OF WATER THAT WILL BE CONCENRATED ABOVE THE DAMS. THIS WILL ALTER THE LIFESTYLE AND HUNTING IN THE AREA-

POPULAR MOVEMENT FOR THE LIBERATION OF THE RIVER ALBANY

MARTEN FALLS INDIAN RESERVE NO. 65 OGOKI POST, ONTARIO, CANADA POT 2LO

CHANGES VERY LITTLE OVER A FEW THOUSAND YEARS.

THEY ARE TALKING ABOUT NATURAL CHANGE...

THEY ARE NOT TALKING ABOUT MAN-MADE CHANGES.

HOW MANY MILLENIUMS WOULD IT TAKE FOR THE

ALBANY RIVER TO CHANGE INTO A LAKE NATURALLY?

BY OUR MINDS ARE BOGGLED BY THIS SUGGESTION,

WE HAVE NO ANSWER. BUT THE ONTARIO GOVERNMENT CAN

DO IT IN TWENTY YEARS OR LESS. BECAUSE THE CHANGE IS

TOO RAPID, THE EFFECT ON THE ENVIRONMENT AND ALL BIO
LOGICAL UNITS WITHIN THE AREA WILL BE DEVASTATING.

THERE SIMPLY ISN'T ENOUGH TIME FOR ADAPTATION OR

ACCLIMATION TO THE NEWLY CREATED ENVIRONMENT.

WE BEG THE GOVERNMENT TO CHANGE ITS PLANS,
THERE MUST BE, HAS TO BE, ALTERNATE SOURCES OF ENERGY
THAT WE CAN EXPLOIT.

Rec'd #5

ACID RAIN AND ITS RAMIFICATIONS

FOR NORTHERNERS

Submitted to the Royal Commission on the Northern Environment

by
The Marten Falls Indian Reserve

Ogoki Post, Ontario

Prepared by T. Moonias November 15, 1982 This submission has been prepared with the financial assistance of the Royal Commission on the Northern Environment. However, no opinions, positions or recommendations expressed herein should be attributed to the Commission. They are solely the responsibility of Tom Moonias. Acid rain or acid precipitation is the result of combustion of fossil fuels such as oil and coal, in heavy industry and automobile engines. The createst offenders are coal-fired electrical generating stations situated in the Ohio River valley in the United States.

Sudbury, which accounts for 1% of the world's total emission of sulphur dioxide into the atmosphere, and paper mills and electric generating stations situated in Thun er Bay, Terrace Bay, Longlac, Onyden and Kenora. However, acid precipitation can be transported thousands of kilometers through the atmosphere. The cause of the problem is really international.

Oxides of nitrogen and sulphur are emitted into the atmosphere by smokestacks and automobile exhausts. As time passes, these oxides are converted into acids causing sulfates and nitrates. When mixed with water sulphuric and nitric acid is the result. Acid can be formed in the atmosphere or on the ground when there

is a miximu of out nhates or mitreton with annual ten;

Sulphur dioxide (SO,) contributes 70% of the heablem and nitrogen exides (NO,) the root.

The arm from the two tides to make the tree Under a musked and scrangly stands of timber along lakes and rivers. The musked is nodeolic (naturally acidic) and thus, is very sensitive to acidic precipitation.

The musked sits upon layers of clay, impermeable to water. Sphagnum moss grows here. Reising the acid content of the water would retard it's growth. It could even disappear. The water would then become a first lake. It is incredible that the anterio government insists that this area is least sensitive to acid rain.

The rivers and streams that drain into the Albany and Attawapiskat Rivers are naturally acidified because of the surrounding muskeg and the absence of limestone as a buffering agent.

The beavers cut many trees and branches down into these reams. This wood rots releasing tannic acids into these ters. The high organic matter content causes a muddy tom to many of these streams. These river beds are also formed of clay and silt.

The larger river systems - Albany and Attawaniskat

we rocky and sandy river beds one quarter of mile or

wide in width. Outcrops of limestone occur period
ically with eratics (large boulders) left from the last

ically age strewn along their lengths. The death varies.

It is shallow in many places, owing to the drops in land

evation causing rapids. A deeper channel winds it's way

long the length.

The muskeg is interspersed between these waterways.

bog lakes occur in this muskeg. Sphagnum moss grows

roughout with tamarack and spruce trees on the periphery.

is the refuge for the Moose, Caribou, Sandhill Crane,

cess and Ducks.

The precipitation is heavy in this area, with often 4 set of snow. The temperature will reach -45°C in the winter. The caribou do not occur south of this area.

Lose and other wildlife are slowly being pushed into this area because of the expansion of cities northward.

Fish, such as suckers, pike, pickerel, speckled trout, sturgeon, burbot and whitefish inhabit the lakes and rivers in this area. They spawn in the spring. This is a critical time for spawning for this is when acid overloading occurs. This is caused by the melting of snow and ice which releases a very high concentration of acidified water. This acidified water produces severe chemical "shock" effects on the fish and other aquatic life.

These river systems and the surrounding musker are the habitat of the black bear, moose, caribou, rabbits, ducks and geese (the staples of the Indian diet). Also the beaver, marten, muskrat, fox, wolf and lynx which the Indians trap. Tourists from the United States and Canada visit this area to hunt moose, and fish trout and pickerel. Commercial fishing of whitefish and pickerel also employs Indians of this area. The fish and furs of this area are of a better quality than others of Ontario due to their healthy condition.

Altering the acidity of the water to any degree could have disastrous consequences to the wildlife

the area.

Acidified water leaders missed the and neavy metals from eacil such as, mercury, aluminum, manganese and calcium mention a few. Calcium is used by our bodies in building Manganese causes noor water quality. Mercury nestion from contaminated fish in the Kenora area caused the Indians serious medical problems. The teme form of this 'Minemata' disease results in death. This heavy metal is poisonous to man and windlife. The uninum interferes with the absorption of water and trients by the vegetation resulting in stunted trees and there. The mercury and aluminum find their way into lakes and rivers where they are ingested by locatical units, human and otherwise.

In Ogoki Post, recent analysis of hair samples conducted be Health and Welfare, Canada showed the presence of mercury along the Indian residents. These results ranged from a of 24 parts par million to zero. The accentable lie of 6. During the spring, summer and fall become are conducted to their diet in this area.

are exported to the south by commercial fishermen.

The tourists travel here to fish these 'untainted fish'.

It follows that the game animals which the native people and on for sustenance are also contaminated and those numbers from the United States and Canada prize as food source. The caribou feed on lichens that grow he muskeg and the moose feed on the shrubbery, usually poplars, alders and willows and spruce. These plants be contaminated by wet or dry acid precipitation.

There are few large wilderness areas remaining on this ment. The arctic watershed cuts this area off naturally the polluted industrial waters of the south. The wilds experience no such barrier. They are able to transport waters thousands of kilometers. The need for strict over all forms of pollutants has become imperative survival of all forms of life on this planet.

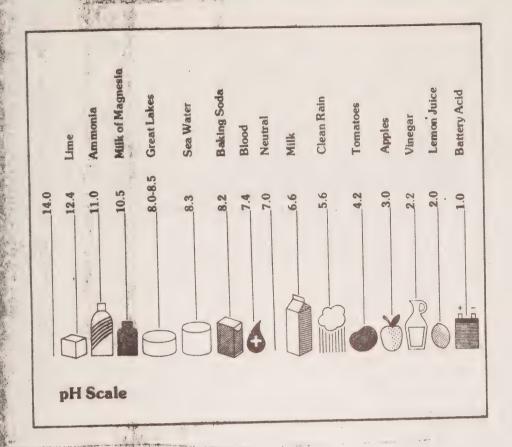
RECOMMENDATIONS

- government to take action to curb acidic precipitation by reducing the allowable amount of sulphur and nitrogen oxides into the atmosphere.
- 2. That the RCNE impress upon the Ontario government the serious health hazards of acid rain upon man and wildlife.
 - 3. That the RCNE impress upon the Ontario cabinet the serious environmental hazards of acid precipitation.
 - 4. That fish be tested every year for mercury contamination and aluminum contamination.

 We urge that all species of fish be tested including the sturgeon, pike, whitefish, pickerel, burbot, suckers (3 different kindscommon, carp and red suckers) and speckled

trout. The sturgeon and suckers are consumed heavily by the natives. They are all bottom feeders and are most susceptible to poisoning by heavy metals such as mercury and aluminum which would sink to the bottom of the river.

- 5. That game animals such as moose and caribou be tested for contamination by mercury and aluminum.
- funds for the development of non-polluting sources of energy such as wind generators and small hydro-electric plants.
 - 7. That an acid rain monitoring station be located at a Treaty 3 central area community.



The pH scale ranges from 0 to 14. 7 to 14 indicates alkalinity. Below 7 indicates acidity. The pH scale is logarithmic, meaning that a pH 5 is ten times more acidic than a pH 6 and 100 times more acidic than 7.

rand Welfare Sante en-ètre social Canada

Medical Services ranch
6th Floor
Thunder Bay Hydro Building
34 N. Cumberland Street
Thunder Bay P, Ontario
P7A 4L3

June 29, 1981

vere the - Volte reference

150-10-2-2

ten Falls Band ki P.O. via kina, Ontario 210

Ex Chief Moonias:

ase find enclosed a complete listing of those residents agave blood or hair samples to Sandra Harris, Special sects Nurse in May 1979, and of the mercury levels and in these samples. The names and the results have separated to preserve medical confidentiality.

results for the whole of Thunder Bay Zone have been clived, a resume of the findings will be sent to your ce.

co-operation in the mercury testing program was

Yours truly.

Dr. M.G. Kershaw
For: R.B. McCullogh
Zone Director

Thunder Bay Zone

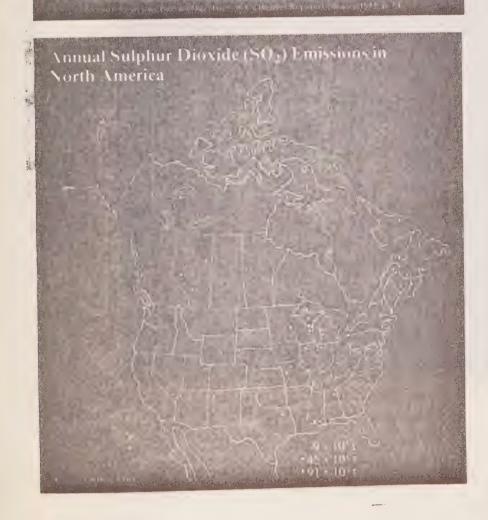
MERCURY	LEVELS	NUMBER	OF	PEOPL
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Table 10: Top 20 Coal-Fired Power Plants in the U.S.A. Ranked According to Total SO₂ Emissions in 1979

		Estimated SO, Emission
	Min	State Thousands of Tonnes/Year
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Table 1: Current Nationwide Emissions of SO_X and NO_X in the United States and Canada

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Ontario SO₂ Emission 1978 15 Largest Emission Sources

		SO ₂ Emission		
Emission Source	Location		Thousand Tonnes/YR	
1. Inco*	Sudbury	1135.88	515.23	
2. Nanticoke, G.S. 3. Algoma Steel,	Nanticoke	405.30	183.84	
Ore Division	Wawa	360.00	163.29	
4. Lambton, G.S. 5. Falconbridge	Sarnia	288.56	130.89	
Smelter**	Sudbury	258.28	117.16	
6. Lakeview, G.S. 7. Imperial Oil Ltd.	Toronto Sarnia	196.77 63.60	89.25 28.85	
8. Lennox, G.S.	Bath	46.97	21.31	
9. Stelco Ltd. 10. Algoma Steel	Hamilton	37.27	16.91	
Corp. Ltd.	Sault Ste Marie	31.77	14:41	
11. Shell Canada 12. Abitibi	Sarnia Iroquois Falls	27.20 14.89	12.34 6.75	
,	Iroquois Falls Mississauga	14.77	6.70	
14. Thunder Bay G.S.	Thunder Bay	14.76	6.69	
15. Shell Oil Canada	Toronto	12.50	5.67	

^{*} Strike Year; Inco 1977 Annual SO₂ Emission 2349.63 x 106 lb/yr

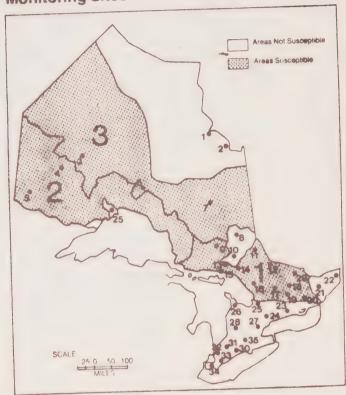
Revised Oct. 1979.

^{**} Production cut back; Falconbridge Smelter 1977 SO₂ emission 483.2 x 10⁶ lb/yr

^{*** 1976} Data 1978 Ontario Total SO₂ emission 3313.74 x 10⁶ lb/yr or 1503.10 tonnes/yr

[—]Ministry of the Environment (Ontario), The Ontario Inventory Information System, Emission Data.

FIG. 9 Locations of Ontario's Acid Rain **Monitoring Sites***



*Cumulative Sites-monitored monthly

- 1. Attawapiscat
- 3. Pickle Lake 15. Killarney 28. Palmerston 29. Golden Lake 5. Experimental Lakes Area 17. Dorset 30. Pt. Stanley 31. Alvinston 32. Wilkesport 32. Wilkesport 33. Merlin 34. Colchester 18. Bear Island 29. Campbellford 20. Kaladar 35. Waterloo Note

- 12. Mattawa

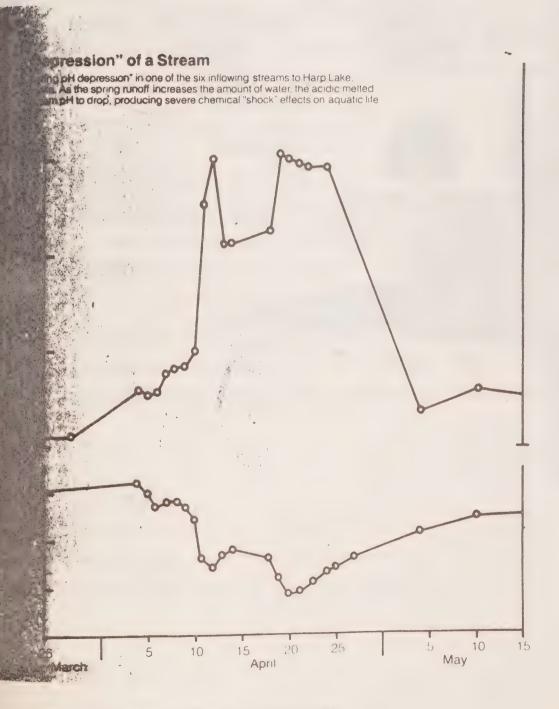
- 13. Lively 14. Burwash

- 24. Uxbridge
- 25. Dorion

- 26. Shallow Lake
- 27. Milton

ONTARIO MINISTRY OF THE ENVIRONMENT

Catherine Commence



Lakes

Nutrients -

Effects on Water Chemistry & Biology

21

Transport

Leaching of

CONTRACTOR OF THE STATE OF THE

REFERENCES

STILL WATERS - The Chilling Reality of Acid Rain
Report of the Subcommittee on Acid Rain of the
Standing Committee on Fisheries and Forestry
Minister of Supply and Services 1981

THE CASE AGAINST THE RAIN

Report on Acidic Precipitation and Onterio Programs
for Remedial Action
Ministry of the Environment

DOWNWIND ** The Acid Rain Story

Environment Canada

Minister of Supply and Services 1981

FACT SHEET

ON ACID RAIN

Prepared for the Canadian Embassy by Wellford, Wegman, Krulich, Gold and Hoff



REMARKS BY THE HONOURABLE ALAN POPE MINISTER OF NATURAL RESOURCES

TO THE

ROYAL COMMISSION ON NORTHERN ENVIRONMENT

EAR FALLS, ONTARIO

DECEMBER 2, 1982

2:00 p.m.

CHECK AGAINST DELIVERY

THANK YOU, MR. COMMISSIONER. I AM MOST PLEASED TO BE WITH YOU THIS AFTERNOON TO MAKE THIS PRESENTATION.

AS YOU KNOW, MR. COMMISSIONER, MY MINISTRY SUBMITTED A REPORT TO YOUR PREDECESSOR ON NOVEMBER 1ST, 1977 ON OUR LAND USE PLANNING PROCESS AND ITS RELATIONSHIP TO THE ROYAL COMMISSION.

ON NOVEMBER 8 AND NOVEMBER 16 OF THE SAME YEAR, MINISTRY STAFF PARTICIPATED IN THE INITIAL ROUND OF COMMISSION HEARINGS. THEY DISCUSSED THE MINISTRY'S GENERAL RESOURCE MANAGEMENT MANDATE, WITH EMPHASIS ON LAND USE PLANNING AND MINING. THEN, AT THE REQUEST OF THE COMMISSION, MINISTRY STAFF APPEARED AGAIN ON JANUARY 17, 1978 TO DISCUSS WILD RICE MANAGEMENT.

SINCE THEN, ROYAL COMMISSION STAFF HAVE BEEN INVOLVED, EITHER AS PARTICIPANTS OR OBSERVERS, IN MORE THAN 30 MEETINGS ORGANIZED BY, AND INVOLVING, MY MINISTRY STAFF. FOR EXAMPLE, COMMISSION STAFF PARTICIPATED AS OBSERVERS AT SESSIONS OF THE INTER-MINISTRY STEERING COMMITTEE THAT WAS ESTABLISHED TO ALLOW ALL PROVINCIAL MINISTRIES TO DISCUSS ALL ASPECTS OF THE WEST PATRICIA LAND USE PLAN.

THESE MEETINGS WERE JUST THE START OF OUR CO-OPERATIVE EFFORT. ROYAL COMMISSION STAFF FREQUENTLY VISITED DISTRICT AND REGIONAL OFFICES OF MY MINISTRY TO GATHER LAND USE PLANNING INFORMATION AND TALK TO MINISTRY STAFF ABOUT LAND USE PLANNING AND PUBLIC CONSULTATION.

MINISTRY STAFF MEMBERS HAVE ALSO BEEN ACTIVELY INVOLVED IN ROYAL COMMISSION PROJECTS SUCH AS THE 1979 FOREST DEVELOPMENT STEERING COMMITTEE HEADED BY LAKEHEAD UNIVERSITY.

Commission staff were observers at ministry meetings with native people in the West Patricia Planning Area--including a session last year with Grand Council Treaty No. 9 in Sioux Lookout and one earlier this year with the North Spirit Indian Band.

As well as these meetings, ministry staff have invested considerable time reviewing consultants' studies, background information papers and research reports prepared for the Royal Commission. These include "North of 50", "RCNE--A Perspective", and "The Resource Geography North of 50".

As well, we have made available for the commission's review complete packages of public input from the ministry's land use planning open houses last summer. These include mailing lists, open house registers and public submissions for district land use plans. I am also pleased that members of the commission took the opportunity to attend some of the open houses held in the northwestern region, and were able to attend my recent public forums when held in Northern Ontario.

WE OFFERED THIS STAFF SUPPORT AND BACKGROUND MATERIAL BECAUSE WE KNOW IT IS ESSENTIAL THAT THE COMMISSION HAS AS COMPLETE A RECORD AS POSSIBLE ON LAND USE ACTIVITIES. I ASSURE YOU THAT THIS ASSISTANCE AND CO-OPERATION WILL CONTINUE SO WE CAN FURTHER UNDERTAKE OUR RESPECTIVE ROLES, AND SO THE COMMISSION CAN APPRECIATE THE SCALE AND IMPORTANCE OF OUR LAND USE PLANNING PROGRAM.

AS I NOTED EARLIER, THIS CO-OPERATION IS ESSENTIAL BECAUSE SO MUCH OF WHAT WE DO AFFECTS THE WORK OF THE COMMISSION.

I AM HERE TODAY TO TALK ABOUT THE WEST PATRICIA LAND USE PLAN, PROBABLY ONE OF THE MOST CHALLENGING AND SUCCESSFUL LAND USE PLANNING PROGRAMS EVER UNDERTAKEN BY MY MINISTRY.

THIS PLAN WILL SERVE MANY PURPOSES. IT WILL HELP US TO COORDINATE THE VARIOUS MINISTRY PROGRAMS WHILE MINIMIZING
RESOURCE CONFLICTS. OUR TARGETS FOR THESE PLANS WERE
DERIVED THROUGH CONSIDERATION OF LOCAL NEEDS AND RESOURCE
POTENTIALS, IN THE CONTEXT OF RELATED MINISTRY POLICIES.
THIS WILL HELP TO FACILITATE THE ACHIEVEMENT OF MINISTRY
OBJECTIVES OVER THE LONG TERM.

To a large degree, the West Patricia Land Use Plan is based on policy prepared for the Northwestern Ontario Strategic Land Use Plan, released in May, 1982.

WEST PATRICIA ENCOMPASSES THREE OF MY MINISTRY'S ADMINISTRATIVE DISTRICTS—RED LAKE, SIOUX LOOKOUT, AND PARTS OF THE GERALDTON DISTRICT NORTH OF THE ALBANY RIVER. IT ALSO INCLUDES THE "REED FOREST TRACT".

WHEN THE MINISTERS OF NATURAL RESOURCES AND NORTHERN AFFAIRS ANNOUNCED THE START OF THE WEST PATRICIA LAND USE PLAN ON JANUARY 9, 1978, THEY NOTED THAT THERE WERE THREE MAJOR OBJECTIVES:

- (1) To provide assistance and receive direction from the Royal Commission on the Northern Environment;
 - (2) To DESIGN A MECHANISM FOR PUBLIC PARTICIPATION BY RESIDENTS OF THE PLANNING AREA; AND
 - (3) To provide the basis for the information base for Long range Land use decisions.

IT IS CLEAR TO ME THESE OBJECTIVES ARE BEING FULFILLED.

A MAJOR REASON FOR THIS SUCCESS HAS BEEN THE EMPHASIS ON PUBLIC CONSULTATION. AT ALL STAGES OF PLAN DEVELOPMENT WE HAVE LISTENED TO, RECORDED AND CAREFULLY EVALUATED PUBLIC CONCERNS AND IDEAS.

IN THE FALL OF 1978, A NEWSLETTER ENTITLED "TOWARDS A PUBLIC PARTICIPATION PROGRAM" WAS DISTRIBUTED WIDELY THROUGHOUT THE PLANNING REGION AND PROVINCE. WE WANTED TO TELL THE PUBLIC HOW THEY COULD BECOME INVOLVED IN THE PLANNING PROCESS AS WELL AS ASK FOR THEIR IDEAS.

PUBLIC RESPONSE INDICATED THAT A VARIETY OF TECHNIQUES SHOULD BE ADOPTED-FROM NEWS RELEASES TO BACKGROUND PAPERS AND PUBLIC ADVISORY COMMITTEES. Those who responded also supported the concept of informal open houses rather than other kinds of public meetings.

As a result, my staff prepared and distributed in May, 1980, a paper entitled "The West Patricia Land Use Plan, Public Participation Program." This paper was designed to inform the general public about my ministry's public participation program, and how they could become involved.

As you can appreciate, in order to complete such a DETAILED PLANNING PROJECT AS THE WEST PATRICIA LAND USE PLAN, WE NEEDED TO COLLECT A LOT OF DATA.

In the fish and wildlife section, ministry staff surveyed some 1,500 lakes. They undertook four special lake management studies and prepared 16 major fish and wildlife technical reports.

THESE STUDIES INVOLVED CREEL CENSUS SURVEYS, COMMERCIAL AND SPORT FISH INVENTORIES, AND THE PRODUCTION OF A COMPREHENSIVE ATLAS OF AQUATIC RESOURCES WITHIN THE WEST PATRICIA PLANNING AREA.

FOR THE FORESTRY SECTION, 3,600 PLOTS WERE SURVEYED TO DETERMINE RESOURCE CAPABILITY. WE CRISSCROSSED THE ENTIRE PLANANING AREA TO STUDY PARK ENVIRONMENTS, SAMPLE MOOSE AND CARIBOU HABITAT AND IDENTIFY BALD EAGLE NESTING SITES.

DURING THIS DATA COLLECTION STAGE, A SERIES OF 24 BACKGROUND INFORMATION PAPERS WAS PREPARD FOR DISTRIBUTION TO THE GENERAL PUBLIC.

I AM PLEASED TO BE ABLE TO SAY THAT THESE PAPERS WERE TRANSLATED INTO CREE/OJIBWAY AND WERE SENT TO TREATY 9 HEADQUARTERS AND TO MORE THAN 60 NATIVE COMMUNITIES IN THE WEST PATRICIA PLANNING AREA TO ENSURE A COMPLETE UNDERSTANDING OF THE PLANNING PROCESS.

IN THE SUMMER OF 1981 AND SPRING OF 1982, SEVEN PUBLIC OPEN HOUSES WERE HOSTED BY DISTRICT STAFF WITHIN THE PLANNING AREA. THESE SESSIONS PROVIDED A RELAXED INFORMAL ATMOSPHERE WHERE MINISTRY STAFF MEMBERS WERE PERSONALLY CONSULTED ON MANY PLANNING MATTERS. IN ADDITION, THERE WERE 27 FOLLOW-UP MEETINGS WITH INDIVIDUALS, INTEREST GROUPS, WILDLIFE ASSOCIATIONS, BAND COUNCILS, MUNICIPALITIES AND PLANNING BOARDS TO DISCUSS VARIOUS RESOURCE IDEAS IN MORE DETAIL.

WE USED PUBLIC INPUT GATHERED AT THE BACKGROUND PLANNING STAGE TO PREPARE THE "WEST PATRICIA LAND USE PLAN; BACKGROUND INFORMATION" DOCUMENT. THIS WAS RELEASED IN JANUARY 1982 AND DISTRIBUTED THROUGH THE MAILING LIST.

MY MINISTRY STAFF THEN SPENT SIX MONTHS CAREFULLY FORMULATING PROPOSED POLICIES AND FOUR OPTIONAL PLANS FOR PUBLIC REVIEW. This work culminated in the release of the "West Patricia Land Use Plan: Proposed Policy and Optional Plans" document, distributed to the public last June. This marked the conclusion of the second stage in the planning process when policy proposals, resource targets and four alternative plans were presented to the public for review and comment.

There were 10 public open houses held last sumen to encourage public discussion on alternative ways of utilizing our natural resources. In addition, 19 special meetings were organized to consult with interest groups, band councils and individuals on specific resource management suggestions.

As an indication of the work invested toward a successful outcome of this public participation program, over 20,000 separate pieces of resource information on the West Patricia Land Use Plan have been distributed to the general public. Our mailing list has grown by leaps and bounds. It is now truly international in scope and includes almost 900 addresses.

As a result of our efforts, public response has been gratifying. The open houses held during the background information stage of the plan attracted almost 300 participants—from housewives and forest industry executives to conservationists and native people. During the second and most recent round of open houses, an additional 736 people were in attendance. Furthermore, some 400 public submissions were received and have been forwarded for my review.

MR. COMMISSIONER, AT THIS TIME, I WOULD LIKE YOU TO BE AWARE OF MY MINISTRY'S CONTINUED PROCESS OF CONSULTATION WITH NATIVE PEOPLE IN THE WEST PATRICIA PLANNING AREA.

I HAVE BEEN INVOLVED IN VARIOUS MEETINGS WITH NATIVE REPRESENTATIVES CONCERNING THE WEST PATRICIA PLAN. AT THE ALL-CHIEFS MEETING OF THE NISHNAWBE-ASKI NATION IN THUNDER BAY LAST MARCH 12, I STRESSED THE VALUE OF THE PARTICIPATION OF NATIVE PEOPLE IN THE DEVELOPMENT OF OUR LAND USE PLANS. I REITERATED THIS WHEN I MET WITH THE NISHNAWBE-ASKI EXECUTIVE COUNCIL IN FORT HOPE IN JULY AND AGAIN TO THE CHIEFS WHO WERE GATHERED AT MOOSE FACTORY IN AUGUST.

MY STAFF HAS ALSO ENGAGED IN REGULAR COMMUNICATION WITH EACH OF THE NATIVE COMMUNITIES DURING THE PREPARATION OF THE WEST PATRICIA LAND USE PLAN TO ENCOURAGE INVOLVEMENT AND PARTICIPATION.

IN THIS REGARD, I AM PLEASED TO SAY THAT A NUMBER OF VERY INFORMATIVE MEETINGS HAVE BEEN HELD WITH NATIVE COMMUNITIES. FOR EXAMPLE, MY STAFF MET WITH THE WEBEQUIE COUNCIL ON NOVEMBER 9, 1981, THE LAC SEUL BAND COUNCIL ON JANUARY 27, 1982, AND WITH THE SANDY LAKE BAND COUNCIL ON JUNE 15, 1982. MY DISTRICT STAFF HAS ALSO ADVISED NATIVE CHIEFS THAT THEY ARE AVAILABLE ON SHORT NOTICE SHOULD CIRCUMSTANCES REQUIRE IMMEDIATE DIALOGUE.

IN SUMMARY, MR. COMMISSIONER, I HAVE RECEIVED TO DATE MORE THAN 1,000 PAGES OF WRITTEN LETTERS, BRIEFS, REPORTS AND COMMENT SHEETS WHICH DETAIL A HOST OF IDEAS ON RESOURCE PLANNING FOR THE WEST PATRICIA AREA. THIS PUBLIC INPUT, TOGETHER WITH STAFF ANALYSIS AND EVALUATION COMPRISES SEVEN COMPLETE BINDERS OF INFORMATION.

LET ME ASSURE YOU THAT I INTEND TO CAREFULLY REVIEW EACH AND EVERY ONE OF THESE SUBMISSIONS. IN ADDITION, I AM MEETING WITH MY DISTRICT AND REGIONAL STAFF TO RECEIVE THEIR PERSPECTIVE ON LOCAL CONCERNS, AS WELL AS THEIR IDEAS FOR DEVELOPING OPTIMAL LAND USE PLANS.

AS YOU KNOW, MR. COMMISSIONER, IT IS MY DESIRE TO HAVE THE INFORMATION GATHERING PROCESS COMPLETED BY THE END OF THIS YEAR. HOWEVER, UP UNTIL THAT DATE I WILL REMAIN OPEN TO PUBLIC INPUT.

CURRENTLY, I AM PERSONALLY HOSTING PUBLIC FORUMS ON LAND USE PLANNING IN SEVEN COMMUNITIES THROUGHOUT ONTARIO. THE FIRST MEETINGS IN TIMMINS AND THUNDER BAY WERE VERY WELL ATTENDED. IN THUNDER BAY MORE THAN 700 PEOPLE FILLED THE HALL AT LAKEHEAD UNIVERSITY. THIS, I THINK IS AN INDICATION OF HOW EFFECTIVE OUR PUBLIC CONSULTATION PROCESS HAS BEEN. TONIGHT I WILL HOLD A SESSION FOR TORONTO AND TOMORROW I WILL BE IN SAULT STE. MARIE.

IN ADDITION TO THESE MEETINGS, I REQUESTED THE ONTARIO PARKS COUNCIL, A CITIZEN'S ADVISORY COMMITTEE WHICH REPORTS TO THE MINISTER OF NATURAL RESOURCES, TO HOST PUBLIC MEETINGS ON THE OGOKI-WHITEWATER CANDIDATE WILDERNESS PARK. THESE PUBLIC MEETINGS WERE HELD ON NOVEMBER 24TH IN ARMSTRONG, AND NOVEMBER 25TH IN THUNDER BAY. I REQUESTED THESE MEETINGS BECAUSE OF THE DEGREE OF INTEREST WHICH SURROUNDS THIS WILDERNESS PARK PROPOSAL AND I EXPECT TO RECEIVE THE COMMITTEE'S REPORT BY MID-DECEMBER.

As I previously indicated, the purpose of the West Patricia Land Use Plan is to provide the data base for integrated resource management by the ministry over the next 20 years. The plan will provide guidance for my ministry staff on the Long term direction of Land and resource management programs. In short, the rationale for the Land use planning program is simply more efficient and effective resource management.

I WOULD LIKE TO POINT OUT THAT THIS PLANNING PROGRAM WAS A MAJOR INITIATIVE ON BEHALF OF THE MINISTRY OF NATURAL RESOURCES. IT HAS BEEN A GREAT CHALLENGE IN TERMS OF CO-ORDINATION AND IMPLEMENTATION. IT HAS ENJOYED, IN MY OPINION, TREMENDOUS SUCCESS IN TERMS OF PUBLIC CONSULTATION.

On that note, however, I must emphasize that the completion of the West Patricia Land Use Plan will really be only the beginning of the planning process. For there will be numerous additional opportunities in the future for citizens to become involved. And any individual or group may contact us or ask for an informal review of any aspect at any time.

IN CONCLUSION MR. COMMISSIONER, I TRUST THAT I HAVE ILLUSTRATED THAT MY MINISTRY'S STRATEGIC LAND USE PLANNING HAS BEEN A DYNAMIC PROCESS WITH PUBLIC CONSULTATION AN INTEGRAL COMPONENT. THROUGH THIS PRESENTATION, FOCUSING ON THE WEST PATRICIA LAND USE PLAN, I HOPE THAT YOU HAVE GAINED A MUCH CLEARER INSIGHT INTO OUR MEANS OF LAND USE PLANNING AND PUBLIC CONSULTATION.

MY STAFF AND I HAVE NEVER BEEN MORE COMMITTED TO THE WISE PLANNING AND USE OF OUR NATURAL RESOURCES, NO MORE RESPONSIVE TO PUBLIC INPUT THAN WE ARE TODAY.

BECAUSE OF THE OPEN HOUSE IN TORONTO TONIGHT I AM AFRAID I MUST CUT SHORT MY MEETING WITH YOU. I WOULD RESPECTFULLY SUGGEST THAT IF YOU HAVE QUESTIONS FOR ME THAT YOU SUBMIT THEM, IN WRITING, TO MY OFFICE, WHERE THEY WILL RECEIVE MY EARLIEST ATTENTION.

THANK YOU.

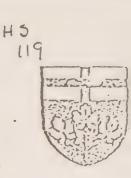


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LAKE NIPIGON METIS' ASSOCIATION

MACDIARMID. ONTARIO ..



SUBMISSION

to

THE ROYAL COMMISSION

on the

NORTHERN ENVIRONMENT.

Mr. Ed Falgren Commissioner

HEARINGS

THE ROYAL COMMISSION ON THE NORTHERN ENVIRONMENT

Submission from the Lake Nipigon Metis Association

President: P. McGuire,

613 N. Harold St.,

Thunder Bay, Ontario. P7C 4E4

Dear Sirs, and fellow citizens from the North of Ontario.

I am one of the lucky few who were given a chance to submit a brief on our Northern Environment.

In the brief I will try and deal with what I feel is important to our environment and how we can better the living conditions for those who make the North their home.

I will deal as briefly as I can with these concerns, so I will not take up too much of your time, yet, I will try and produce facts on paper to improve economic development and our environment in general by proper use of our Natural Resources. and land use planning and Communities planning for the North.

No. 1. Economic Development. The North is starving for jobs. No one seems to care. The reason our Natural Resources are only being used for harvest, and they are not being processed in the north.

Sure, we have a few pulp mills, but they are in the north because of the pollution these mills produce, and pulp mills are also part of the harvest system for pulp companies. The real processing of our timber products is done in the south of Ontario.

When one has limited education it is hard to find the right words to bring your message across, but I will try.

What I am trying to say is proper management of our forest resources should also include the proper planning of land and communities. The harvesting of our forests should not be allowed if it means only the taking of trees. The harvest of trees should also mean processing plants, factories, new towns and good roads. This would improve the environment in the north and would also make a better Ontario.

All the resources that the North produces each year - and yet the north is getting smaller. Why?

Since the Royal Commission was formed the North lost one Federal Riding. This year, the North almost lost one more. This only goes to prove that our North is being mismanaged. With all the wealth the North has in Natural Resources the North is still shrinking because our Natural resources are being used to create employment in the South of Ontario, and people will go where they can find work.

In this submission I will enclose a brief on fishing, to create employment, also to provide food. Also - pulp companies harvest our trees and how this harvest is mismanaged and wasting our tax money, plus producing poison in the form of herbicide.

I want to bring all this to your attention so that some mistakes can be corrected to improve our environment.

Do not get me wrong. I am not using this chance I have to submit a brief just to bad mouth the Ontario Government. Investigation will prove that I am right.

Our tree harvest - is it being done right? Is the right machinery being used. Maybe the machines now used by the pulp companies are too heavy. By this I mean that the machines tear up the ground and go too deep allowing the sun to dry up the topsoil making it hard for trees to regenerate.

I have seen trees planted that were all dried up because the ground was dry and powdery. This summer I travelled where the pulp companies harvested our trees. I was shocked to see the trees that are wasted. At least 5% of the total harvest. Trees left on the grount to rot. Small trees not big enough to cut down to use, smashed by these big machines. If these small trees were allowed to stand and grow, they would in turn produce seeds to regenerate our forest and a lot of planting trees by the M.N.R. could be eliminated.

When horses and small machines were used to harvest trees there was no need to regenerate our forest by planting trees. In those days only marketable trees were cut, the small trees were left to make more trees by natural regeneration.

Now the pulp companies are allowed to cut and smash everything that stands. When they are finished nothing is left, only ruined land. Then they want the Ministry of Natural

Resources to plant new trees, and have the M.N.R. babysit these trees for the next 30 to 40 years until they can be harvested again. By babysitting I mean the M.N.R. plants trees then every once in a while the M.N.R. sprays by aircraft. The herbicide ensures that no other tree grows, popular and birch are poisoned by the herbicide 24D (agent orange). Now this poison also kills all broad leaf plants such as Red Willows, Alders, blueberries, raspberries, herbs and more.

Now it is common knowledge that after the trees are harvested that nature supplies new growth to protect the soil. If this new plant life is disturbed then we upset the balance of nature. These new plants that grow after the trees are cut also provide food for our wild animals and birds. The Ministry of Natural Resources has been polluting the North with 24D (agent orange) for the last 15 years. They have kept no records, or done any research as to the affects of 24D herbicide has on wild life and humans.

After this poison has been sprayed it takes a while, maybe three to four days or a week, before the country turns orange. All broadleaf plants are wasted and die. In the meantime the animals have been eating the poisoned food. The same applies to humans.

I have set up camp with others to pick blueberries only to find out that one morning all the surrounding area was turning orange. We thought it was an early frost, but in the meantime we had picked and eaten and sold these blueberries to others to eat, not knowing they were poisoned. We even kept a large supply for our winter use.

The Ministry of Natural Resources will tell you that this poison is not injurious to animals or humans, but have they proof to back up their statement. I have read statements in the papers where people were suffering herbicide poisoning by breathing it and also have it in their system by eating food.

No one can make me believe that a poison so strong that it can kill trees and plant life will not have some effect on animals and huma's.

Spraying 24D close to lake and streams deprives the beaver of much needed food. Not to mention the effect this poison has on fish when it gets into the water system.

M.N.R. has blamed the weather, rain, snow, cold, the sun. All reasons for no game birds, but agent orange 24D is never mentioned. I surveyed where 24D was sprayed and I could not find any sign of wild life. No game birds, no rabbits, no squirrels - nothing. No sign of moose deer or bear or other fur bearing animals.

If we want to preserve and protect our environment the use of this poison must stop. It is only hurting our wild life and not helping the forest industry as it should. The use of agent orange is the dream of some stuped foresty official who got this idea from the Vietnam war. Keep our forests green - not orange.

Let me tell you what I found in my travels in the bush. The jackpine country was completely harvested and not a tree left standing. Everything was smashed and cut to the ground. After this was accomplished by the pulp companies the Ministry of Natural Resources planted black spruce every 7ft apart or so in nice straight lines. It sure looks good, only one thing wrong with it. Someone forgot to tell the jackpine this was now spruce country. The jackpine are starting to grow thick and fast and the black spruce that were planted haven't got a chance. What kind of poison will the M.N.R. use to kill off the jack pine to allow the spruce to grow. I guess it is pretty hard to make a black spruce swamp out of a jackpine hill.

Everyone wants the pulp companies to harvest our trees in the north but they must be properly managed. They should not hurt the North environment by overcutting and producing pollution. By harvesting too close to lakes and major rivers and they should be asked to provide good access roads that will enable the propectors and trappers, tourists and Ministry officials better and easier travel in the north. Good roads will encourage more people and more jobs for the North.

In some areas after the trees have been cut the topsoil has been disturbed so badly that the soil left will not support trees. These areas should be cultivated to supply wild fruit. Blueberries grow good after Jackpines have been harvested.

Research should be carried out to compare the blueberries crop against that of pulpwood. Take a square mile of land, you can only cut trees off this land every 30 or 40 years, but you can produce blueberries every year.

A piece of land this size will employ 20 to 30 people and produce around 2,000 baskets of berries at 20 dollars per basket. $20 \times 2,000 = 40,000$ dollars each year by 30 to 40 years. This figure can be compared to how much the trees from this size of land can produce in terms of jobs and cash value, and blueberries only grow where Jackpine was harvested.

Land use planning should include an all-weather road right into the North Country to provide road travel for those who live in the north and to encourage more people to settle in our North Country. A good road would open up our country. We cannot depend on air travel to open up our North Country, and we muc open the north is we want to better our living conditions in the North.

What is our Northern environment? How do we compare with the Southern environment? Our major city in the north is Thunder Bay, after that we have only bush and scattered small native settlements. No large cities and no large factories in our environment only small tar paper shack communities, snow shoe trails make up the most of our Northern environment.

We have no running water in our homes. We have no hydro to make life easy in this time and age. Only carrying water by pails and the burning of coal oil lamps. If we want to travel we must take our turn to charter an aircraft, and have almost the price of a car for our ticket. We must also make sure we have our return ticket or we are in trouble if we overspend.

Everyone talks about doing something for the Native people, this this is just talk. It will be a long time before a road will be built in to the north. A handful of tourist operators and bush line air plane pilots will not allow it to happen. This might interfere with their money making because they must preserve at the expence of other humans what they consider their environment.

Everyone talks about the wild rice for the indians and what wild rice means to these people. The white people have put a cent and dollar value to wild rice, but to the indians this is culture and their way of life. The same can be said about hunting and trapping. This is a way of life for our Native people. Hunting and fishing is their culture. It is the white man who put dollar value to hunting and fishing. The North is large. There is plenty at the

present time to everyone. But it must be properly managed. The government should not let a few people with a lot of pull make decisions that will effect the people living in the north or those who want to come north.

Inland lakes can provide much needed jobs for all.
Managed right these lakes can provide a better life for
the Native people and for the people who want to be
called tourist operators. As well as those who want
recreation in the summer and winter months.

These inland lakes can produce Commercial fishing to provide jobs and also can produce game fish for the tourist fisherman and also for the Ontario Anglers. These inland lakes can also provide more wild rice. Again, better management is needed to take advantage of these inland lakes. We must have roads. Roads will also enable Ontario Hydro to develop electricity from rivers to make a better way of life for all. This would improve our environment and also provide jobs and much needed tax dollars.

Too much is taken for granted. Everyone thinks our forest is only for the pulp companies and for our indians to live in. This kind of thinking is wrong. The North can also be used to build factories, processing plants and an alternate energy for gas and oil. To develop and preserve our natural resources, energy can be produced from our hard woods - popular and birch. These can be processed and energy can be manufactured in the North.

Peat Moss can also be processed and developed to produce energy.

Our large rivers can produce energy in the form of electricity.

Waste wood from pulp companies can be used in the manufacture of utility items such as boxes, baskets and more.

Some of our North Country can be used for cattle farms and vegetable farms.

Fish processing plants, fish hatcheries - you name it - the north has it all waiting to be developed.

Land use planning. No major decisions should be made by government planners without first negotiating with the Native people who live in the north. By this I mean the Native life style must be protected at all cost. The

North is the last place in Canada where our Native Canadians can preserve what is left of their culture. People who have immigrated in to Canada now make laws that effect our Native Canadians (indians). Indian law has been replaced by white law. White law must protect the indians the same way white law protects our animals. We should not let our indians die off because they have lost their way of life and lost their culture; because someone wants to turn the north country over to the American tourist and operator.

I would say leave the North Country for our Native Canadians, only allow them to hunt, fish and trap in the north.

The White people can use the North for harvesting trees and developing Natural Resources.

The Indians are not against companies coming into the North. What they are against is the treatment they can expect when the white people come to their country. Laws are made restricting their movements and way of life, but somehow these laws seem to favour the white man.

The government should also negotiate with the Natives before development of some major resource for industries is undertaken. To make sure the indians environment is not disturbed by building factories too close to indian reserves, water systems. Pulp mills should not be allowed into the clean north.

In this submission I have brought to your attention:

Natural Resources
Management of timber harvest
Management of Natural Resources (General)
Energy - to upgrade living in the North
Developing - Rivers for electricity
Alternate use of hard woods for gas and oil
Development of inland lakes for profit and relaxation
Brief on coarse fishing
Land use planning
Industry
Our Native Canadians - the indians.
Preserving Native way of life and Native Culture
24D (agent orange) poison from the M.N.R.
Roads - pulp companies harvest of timber.

Before closing I want to bring to your attention these facts. Highway 17 from the Manitoba border to North Bay. Highway 11 from Nipigon to North Bay. How do these highway compare with highways around Toronto?

MacDiarmid population around 300 people. Natives pick blueberries to store away for winter months. Only recently, this summer, the MacDiarmid people have found out that for the past 15 years the M.N.R.has been spraying 24D agent orange to kill broad leaf plants. MacDiarmid people have a high percentage of sickness related to Cancer. Maybe research by government health officials is needed here.

How many more communities have this same problem. I was in Red Lake talking to the Natives there. Some seem to feel the large forest fires that were in that area, and in other areas, are just big control fires to produce more spruce for making paper, because the Ministry of Natural Resources can now control the birch and popular and after a forest fire blueberries grow and are picked by people for food. Will these people be eating 24D (agent orange).

From:

Paddy McGuire
President
Lake Nipigon

Metis Association



LAKE NIPIGON METIS ASSOCIATION



613 North Harold Street THUNDER BAY, ONTARIO P7C 4E4

A SHORT BRIEF ON THE FEASIBILITY OF USING COARSE FISH FOR ECONOMIC DEVELOPMENT FOR NATIVE PEOPLE:

For the Native people, Metis and Indian, to catch fish for survival is natural. Catching fish for a living is part of the Native culture. Catching fish for a living cannot be accomplished by working with the clock. For example, to start at 8:00 a.m. and finish at 5:00 cannot be done. Commercial fishing is accomplished by working with the weather: in heavy weather you cannot work your gear or equipment. Early in the morning the winds are usually light, the same applies as the day draws to an end and the winds are calm.

When working with nature to make a living, this comes natural to the Native person because Native people have grown up in that environment so it's only feasible to suggest economic development for Native people must come from our renewable natural resources.

It is common knowledge that the Native person has a hard time adapting to making a living under the European system of punching a clock because when making a living by harvesting certain natural resources, you must work with nature's elements: wind, rain, sun, in general the weather.

Our inland lakes, and I speak for Northern Ontario only, have an oversupply of coarse fish (red and grey suckers). In fact lakes are so full of coarse fish that the coarse fish has become a form of pollution on inland lakes because they are scavengers and spawn eaters, and because they are spawn eaters they will not let other species of fish reproduce.

The coarse fish at this point and time has complete control of the majority of our inland lakes. This has a disastrous effect on the tourist industry and in turn has affected the communities of Northwestern Ontario, and the Government of Ontario because of lost revenue (wages, taxes, licences, gas, oil, food, alcohol, clothes, parks, and much more).

The utilization of coarse fish must be encouraged if we want economic stability at least to a certain degree in our tourist industry and to find gainful employment for our Native people.

At present coarse fish is used to manufacture imitation hamburgers, beef, sasuage, bologna, and garlic sausage. This is very tasty as I speak from experience, but to make one pound of imitation meat it takes three pounds of suckers, and I'm talking when suckers is cleaned, dressed, and filleted.

Example: Three pounds of suckers will fillet to one pound of fillet. It takes three pounds of fillet to make one pound of imitation meat. In other words, to make one pound of imitation meat it takes three three-pound suckers. The rest is waste because people who manufacture this type of fish product do not consider waste to be of any value.

You may ask, can this waste be made into fertilizer? At this point in time I cannot give you an answer because the manufacture of fish fertilizer is expensive and a very touchy subject.

But fish can be used as fertilizer if taken and mixed with the soil at certain times of the year. Farmers have, for many years, used raw fish for fertilizer.

Coarse fish can also be used in the manufacture of gefilte fish; this is mixing in with other fish, and again this uses only one-third of the fish weight.

The present use of coarse fish in certain manufacturing processes has an adequate supply from licensed commercial fishermen.

In this brief I am trying to explain the need for the full utilization of coarse fish which can be used in the following ways:

- 1. Economic development for Native people;
- 2. Restocking inland lakes with game fish for the tourist trade and recreation in general. Game fish would be captured live in pound nets from lakes where they are plentiful, tanked and transported to understocked lakes where they would be released to spawn according to their natural cycles. This would occur in lakes from which the dominance of suckers has been reduced and would eliminate the prohibitive cost of establishing hatcheries for these fish.
- 3. To help support the economy of the tourist operators.

- 4. To encourage the upgrading of access roads leading to inland lakes, this will also supply an avenue for forest fire protection.
- 5. The Ontario government to help find an export market for the coarse fish (television commercials are full of starving people in need of food in third-world countries).
- 6. Coarse fish can supply high protein and calcium if used whole.
- 7. To market this fish it must be preserved from spoiling and bulk weight must be lowered yet preserving the food value of the fish.

If this project can receive support through financial assistance by allowing a feasibility study on points I have mentioned it will supply employment to many people and supply an alternate use for our inland lakes, help the tourist industry, and not to mention the relief it will bring to bring poor people in need of food, and the government will also benefit by the way of revenue.

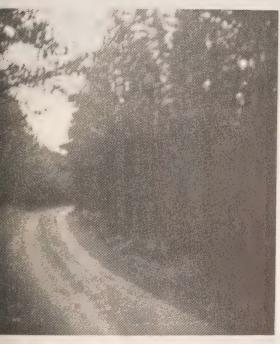
Patrick McGuire, Sr.

President

Lake Nipigon Metis Association





















Rec'd Dec. 15/82

H5 120

Rocky Bay Indian Reserve # 1, Rocky Bay Band, MacDiarmid, Ontario POT 2 BO

December 15,1982

Royal Commission on the Northern Environment.

Thunder Bay, Ontario

Dear Commissioner.

In writing this letter it is the duty of the chief and council of Rocky Bay Band to request that these documents become public records before December 31,1982.

Enclosed please find the final written submission as outlined in the Rocky Bay project.

Our scheduled date of presentation at the Royal Commission hearings is in Armstrong, January 27,1983.

Yours Truly

Secretary (of project)

c.c. Chief & council of

; Michipicoten

; Heron Bay

: Mobert

; Pays Platt

;Fort William

;Longlac # 58

;Whitesands

; Lake Helen

also to Ben Wawia, Vice President of the Union of Ontario Indians

; Gull Bay Reserve

Armstrong

Land Use Plan; there will be no hunting

- ; the livlihood of hunting and trapping will disappear
- ; we need more planning in conjunction with the native people
- ; everything will be lost
- ; stop more single use parks
- ; need development for economic reasons
- ; should have more waterway parks for canoeing and boating

Ontario Hydro Development at Little Jackfish River;

- ; we will not receive any benefits
- ; area traplines will be flooded
 - hydro mentioned compensation for 20 years based on annual catch plus cost of cabins
- ; it will affect where the fish will go, like Ombobika Bay (spawning etc.)
- ; it will spoil the fishing areas in Lake Nipigon
- ; the people want a different trapping area
- ; it will also flood the land

Longlac Reserve # 58

Land Use Plan; should have a group of people get together

- ; affects us alot, would have no place to hunt
- ; in compensating trapper with a similar trapline, it could be further away
- ; M.N.R. should have consulted with Indian people first
- ; takes away many hunting and trapping areas and accesses to the Indian people
- ; there will be restricted areas
- ; there was not enough consultation with bands
- ; bands are not prepared to fight any arguments
- ; in logging, some have benefit of being employed

Ontario Hydro Development at Little Jackfish River;

- ; a logging road goes up that far now
- ; a timber company moving towards that area
- ; native way of life will be affected
- ; hunting and trapping will be affected (2 people with traplines in that area)

Rocky Bay Reserve; Royal Commission project inquiry into
Ministry of Natural Resources
Strategic Land Use Plan

Interviewed different people of various places.

First we met co-ordinators of projects from the Royal Commission office in Thunder Bay to discuss project objectives and final draft of submission.

In interviewing people we travelled to Armstrong, Gull Bay, the Whitesand's band members, to Longlac # 58, to Michipicoten, Mobert, Heron Bay, Pays Platt, Fort William reserve, Beardmore, also to Auden and Aroland.

In writing this brief on what we are doing, we had attended the District Liason Council meeting in Thunder Bay.

In attending this meeting we discussed our project and the chiefs at the time were not pleased with our project. They were afraid it would contradict into their goals and objectives.

To further explain our project, this project will enable the Rocky Bay Indian Band to do research on matters which will directly influence the community. The information gathered will be regarding the Strategic Land Use Plan as proposed by the Ministry of Natural Resources in regards to proposed parks, commercial fishing, hunting, trapping, logging, mineral resources and the development of Little Jackfish River by Ontario Hydro.

We are to compile the information into brief form, for presentation to the Royal Commission on the Northern Environment.

In collecting and evaluating the information into brief form we will present to the bands a copy of the submission.

Michipicoten

Land Use Plan; Parks; no problems, because we hunt and trap when we want to

; we didn't give up our hunting rights

Fishing; we are to fish for our own use

- ; no trouble in commercial fishing either
 because it's not worth to commercial fish
 because of the cost of gas and we only have
 small boats
- ; it's one hundred and eighty miles to deliver

Logging; we want to stop timber company from cutting that area next to our reserve

Trapping; no trouble at all in trapping

Mobert

Land Use Plan; in mineral resources there is a mine opening
up in the area and the natives should be hired
first

- ; the mineral potential around our reserve is quite high
- ; in logging only a few natives were hired
- ; even if we have any input into the land use plan the M.N.R. will still go ahead and do it
- ; it's going to affect the tourist, the people who live here and it will affect the future generations

Heron Bay

- Land Use Plan; it won't help us at all, alot of people are going to lose their traplines
 - ; everything will be regulated or constructed so that you can't move
 - ; waterways are a free access to any people, they cannot be made into a park
 - ; if they phase a person out, that person must be compensted (trapping)
 - ; mineral rights should be changed so that you can grab it for your reserve

Pays Platt

Land Use Plan; parks will affect hunting and trapping

- ; more game wardens telling us where not to hunt
- ; in trapping, the game warden gives a license to another person
- ; the game warden is not doing his job
- ; we never had licenses before
- ; in logging we should have more say about the logging business
- ; it's to hard to get a cutting license
 -shouldn't pay for license
- ; M.N.R. shouldn't tell us where to hunt and not to hunt
- ; in parks, let us decide about the land, before they pass the land use plan regarding parks
- ; they should let us decide if we want a park or not
- ; they want to go right ahead without consulting us,
- the Lake Superior Chiefs of the Union of Ontario
 Indians
- ; in going through with the land use paln, they will be limiting our hunting and trapping areas

Rocky Bay Reserve # 1

- Land Use Plan; the M.N.R. cut down the quotas on commercial fishing on Lake Nipigon
 - ; everything the M.N.R. plans for, is for tourist
 - ; trapping areas will be cut down
 - ; the M.N.R. is making to many parks
 - ; they are blocking all the good fishing places on Lake Nipigon
 - ; in logging, the native people in the area should have first choice in any area to cut
 - ; -natives should have first choice of land
 - ; will affect our treaty rights of hunting, trapping, and fishing
 - ; people in Toronto don't know what we want or don't want

Onatrio Hydro Development at Little Jackfish River;

; fishing would be worse than it is now

Fort William Reserve

Land Use Plan; fishing should be given to the Indians

- ; hunting should be allowed, for the natives, like always
- ; in trapping, the people shouldn't lose their traplines
- ; the ministry is taking away our fishing rights
- ; trapping helps make your living
- ; Pukaskwa Park was to be for native employment
 - -in the park the natives are restricted from hunting or trapping
 - -in the agreement signed by all the chiefs it stated that the natives would be allowed to hunt and trap in that park
- ; shouldn't impose any laws restricting commercial fishing
- ; hunting and trapping are purely aboriginal rights and shouldn't be restricted

Ontario Hydro Development at Little Jackfish River;

- the government shouldn't allow it to be constructed because it will affect hunting and trapping
- ; it should be decided by the natives in that area on what should be proposed
 - what they want or need
- ; in employment, the unions would be involved, therefore leaving out the natives

Beardmore

Land Use Plan; there are areas developed into parks without any consideration of who trapped or hunted in that area

- ; it would affect commercial fishing
- ; there are places we can't hunt
- ; hunting has been limited to certain areas

Ontario Hydro Development at Little Jackfish River;

- ; will affect the commercial fishing in Ombobika Bay on Lake Nipigon
- ; it will also affect our hunting and trapping

Overall evaluations of all communities involved;
Land Use Plan; native people were never consulted

- there are going to be restrictions on our hunting, trapping, and fishing rights
- ; this province doesn't need anymore single use parks
- ; the reserves should get a group of people together to fight this
- ; the government agencies don't involve bands
- ; the bands are not prepared
- ; land could be used for other reasons
- ; the ministry could have more planning in conjunction with native people
- ; in logging, some reserves are trying to get a license to emplot their band members
- ; in logging, their are no benefits for the reserve
- ; logging should be more controlled

Overall evaluations of all communities involved;
Ontario Hydro Development at Little Jackfish River;

- ; in emloyment, the native people won't get a chance to work on this project
- there are two licenses (trapping) in that

 area -Hydro has stated that the trappers

 being compensated will receive 20 years

 based on annual catch plus the cost of

 cabins
 - -Hydro just mentioned money
- ; the rise and fall of the water level on Lake
 Nipigon would affect the spawning beds in
 Ombobika Bay
- ; overall it will affect hunting, trapping and fishing to a great extent
- ; it will also affect the land by it being flooded
- ; it will create alot of problems with transient workers
- : the native beliefs and traditions will be lost
- ; areas of feeding, spawning beds, and trapping grounds will be lost
- ; it will also create an opportunity for Whitesand band members to develope a tourist resort

Interview; Frank Tibishkogijig, Armstrong October 6,1982

We the people of Ferland never get any results, of any ideas we set forth regarding our involvement of our reserve Everytime we have a meeting with our supposedly chief or Hector King everything we say seems to disappear after these meetings.

As for Little Jackfish River flooding, everything we stand for and believed in will be lost, our trapping, hunting, fish we depend on for our domestic purposes and our cabins some of us work hard to keep these cabins livable.

Everything will be lost .

That's all I have to say. Thank You.

nterview; Ray Lindholm, Armstrong October 19,1982 s it don't affect me to much because I'm semi retired, all I'm orried about is Caribou Lake. I want to keep my boat on there, eally', I've been there 25 years now.Other than that I'm safe. ackfish River project by Ontario Hydro;

really don't think that we'll get any benefits from it.

Probably from the east side of Lake Nipigon ot that far as I know, it will bypass us entirely, really, that's y opinion.

rapping, how are they	going to compensate;
couldn't say that, I	don't think I ever saw that kind of
and	I understand. Well actually I never seen it.
imagine the land use	plan would interfere with hunting and
capping.	

am not in favor with the park really, I know what's going to appen.

Interview; Jack Lindstrom, Armstrong October 19,1982

Time: 9:15 am

Parks; I think we can stop more single use parks, we should have more waterway parks for canceing and boating. I think we should have no more single use parks. I think we have more than we could use now. They don't stop no one from going boat riding or canceing. So I don't see why they want more single use parks.

Timber should be more controlled, on the use of it. I don't think they should cut out all the area around here. I think we should have more to say on the Land Use Plan, around our area. Did you see how much they cut already, by the road.

Waterways; I don't think we should cut to close to the shoreline, because of the beavers and stuff like that. I think the cutaways should be quite aways from the shoreline. Jackfish Dam;

They are not going to affect too many people anyway. The lake they are building, I think it's a golden opportunity for the White Sand Band. Like, to build a tourist resort and guiding for them and I think they should compensate them back for the loss of land.

Tourist; I don't think we should have people from the States to come here and start building tourist resorts. They take to much land away from us.

Interview; Hector King, Armstrong October 19,1982
comments in White Water proposed wilderness park area. I think we
the Chamber of Commerce, we have agreed on it.
don't believe in air seeding, it's not worth it, air seeding
s only good for the birds and the squirrels.
when they srap pile in the
spring time.
If we want to succeed in tree planting, it should be done by hand.
it's been
getting 6 cents a tree ever since I could remember and everything
s gone up ,gas, food, etc
We still get the 6 to 8 cents a tree you know. Trees should be
and planted and I think we should get paid by the hour.
Well I think any lake
Cou take Lake Nipigon
OF COURSE everybody blames
commercial fisherman, if they look at the tourist outfitters, I
think they did more damage and I recall afetr the second world
war, 1917 you could go anyplace,
And you could get and catch
northern pike up to 40 pounds and now you can count on your
fingers how many northern pike that been caught over 30 pounds and
perch will eat 3/4 of it's
weight and
SHUT THE PERCH

Outfitters are just as much to blame, they are here to-day and
gone tommorrow. Areinnow . And
and I would if I was nort of that
and I would, if I was part of that.
There is nocontrol on
by commercial fisherman.
Well smelts are doing more damage and take like the fish are
little darker than some in different areas, Big Sandy Lake
And fish should be better control.
Like for a native trapper to trap
The game warden tells them you didn't fill your quota last year
so you're going to lose your license and a lot of people have lost
their trap lines here. Like Lake Nipigon
Some have two or three licenses and maybe there and some are never
filling one and yet they are hanging on to them licenses and I
think the native people are getting a raw deal on Lkae Nipigon.
Take like the Gull Bay license, where there are 3 or 4 on one
license.
and that's unfair and I think the license
should be smaller, half of them should be taken away and give

it to the native people.

Harry Sinoway; Time; 3:05, Armstrong October 19, 1982

Dam; I think it's going to cut the water quite a bit and it will affect the fish too, like spawning in the feeding area for the fish and I think it will effect the trappers alot. Like there will be a loss otherwise. It will effect the areas for feeding for the animals. Like moose, beaver, etc. This will affect all the above from the dam being built.

Tourist Resort; Outfitters use to have native guides fro them, but now, since they don't need the native guide, they hire their own kind, because of the matives showing them the areas and since they know the area they don't need us anymore. They should have a written signed agreement between the native guides and the tourist outfitters.

Ontario Hydro; Ontario Hydro going to train people on the job, like welding, truck driving etc.. I heard this is going to happen in the year of 1984.

Interview; Ernest Wanakamik, ArmstrongOctober 6.1982

I belong to the Whitesand's Band

In regards to the Land Use Planning, I think there should be more planning done in conjunction with the Native people, seems as if we're being left out and most of the time planning is being done in this area. I think it's pertinent that, to our families that we should have a say for our kids for all the kids that grow up here.

Commercial fishing, don't know nothing about commercial fishing.

On hunting I think the only thing I should say is that our hunting rights should be protected because it concerns the livlihood of most of our band members, same thing for trapping, I think it's limited.

Logging, I don't know to much about.

Iknow we don't have mineral resources.

About the Ontario Hydro Development project, the only thing here that worries me is maybe the flooding of the waters, the flooding of the land in and around Little Jackfish area. I don't think the reserve will be affected by it but I think it will, maybe in the long run to be affected. It also depends on where the Whitesands' band will be located, that's still up for grabs.

Yes, I think the Widerness Park and the Hydroelectric project will affect people in the Land Use Plan, the parks issue, because I don't totally agree with the proposed park. I don't know, in a way it might be good too if there is some control of resources up north, they should be kept just the way it is. Then again we need development in order for economic reasons, Iguess.

Also with the Hydro project it's going to create a lot of problems once it gets started during it's peak period. It would affect the band members mostly because there would be lots of transient workers creating a lot of problems. It would create jobs for them but it's not guaranteed, usually the jobs that come here are not guaranteed for native people they bring in outside help and just leave us out in the cold.

I strongly suggest that we get more involved, more native involvement, the local population is really high and I think they are concerned.

Interview: Larry Wanakamik, Armstrong October 6,1982

For the Ontario Hydro coming in here to Armstrong, I think the main concern is the employment side for the area people that I understand is the Hydro won; t be hiring that much people to work on the project. Like there will be about 700 people and believe there will be about 75 local residents or _______ to work on this project. I don't think the native people would get that chance, out of that 75 to work on this project. Well they don! t have the know how to get the jobs or how to go about getting jobs, but it's whatever that comes. I mean it's in this area the unemployed don't get the chance to get hired. I think the area residents of this town (Armstrong) would get preference over the Indians, because they've got more influence on the people from Hydro and they have friends here that give them jobs other than give it to the Indians.

In logging, right now we are trying to get allicense for cutting, that's for the band members who tried working with the contractors or the people that have a license, like they started working but they usually get fired or get laid off, you know not working hard enough or not making enough or not keeping up with other people, so they have to let them go. I imagine that's the problem with these contractors and timber companies, they let go the people that can't keep up. When we get our timber license we'll just go at our own pace and keep the people working, instead of firing them or letting them go. It's always a problem with these people that get hired, they get let go because they missed days or just not working hard enough. Right now we have a lot of people a lot of unemployed looking for work. I guess they would like to give it a try working in the bush, but they just don't have the experience or have been fired before at the same place. We are trying for this license because Gull Bay is trying and making pretty good at it. I guess it's one reason why we're trying it.

In hunting and fishing, the working relationship with the conservation officer that's up here, not to sure if other people have any conflict with him but far as I know there are really no problems. There have been instances where the license has two people, one was Indian and the other non indian. I guess they didn't really tell the other person that there was a white person was on the trappers license and he didn't really know what to do. I guess they just let it go at that and I am not sure if they still have that license to hunt and trap.

Iguess there is a trapping license in the Little Jackfish area that's going to be flooded, probably two licenses in that area and this flooding would probably affect those people that are on that license. From what Hydro said is from what they got in past years, like on an average they will be getting for 20 years compensation plus their cabins and whatever else they have on their piece of land.

They didn't really say how they are going to compensate the people, they just mentioned money.

All the people in Collins have traplines down that way, but not to sure about the people up here. I don't think we have any down that far. Anyway I know people in Collins go down that area to hunt geese, in the fall and spring. I guess that would affect them if there was no hunting in the park. I guess they should look out for the native people's tradition of hunting in that area.

There are no mines in this area that I know about.

Many years ago, just north of here on Lake Caribou. I was down there last summer ,seen the ,it was on a hillside and blasting was going on, saw the rocks falling, going down into the water.

There are no outstanding claims.

None of our band members, go commercial fishing.

I guess in the Jackfish area, there would be the rise and fall of the water level, that I guess would affect where the fish would go. I don't know to much about fishing but if the water is always going up and down it probably would affect where the fish go.

Interview; Jack Kwandibens, Armstrong

October 5,1982

fighing closed in

First of all that land use planning on everything in regard to the people living off the land, they use to travel in various places to camp through the summer or the winter, whatever the occasion, in regards to what they want to do this is, all of that is going to disappear to his knowledge everything is going to disappear, they won't be able to do that any more if that proposed park comes through because all that land back in here, they are using it, whether they use it in the summer time or the winter time, for trapping or just getting their livlihood but this is all going to disappear when they put up this proposed park.

Tibilitie Clobed III
Jackfish River is going to spoil Ombobika Bay.
fishing not for commercial fish but for himself, for food
only.
It's going to be full of clay.
It's really going to spoil the fishing beds, this is where
they get their domestic food, not so much for commercial,
but domestically for their eating, . He thinks this is going
to be lost totally if they divert that dam or if they make
the dam any bigger.

Hunting and trapping
Trapline, cabins that the Indians have are going to be 85 ft.
under the water . Jackfish, Zigzag, and
Cresant Lake and Lake is going to be 85 feet
under the water. North of Ferland, they're going to spoil it,
traps
thou ro going to be the water

they're going to be the water.

Commercial fishing

To him that logging, he doesn't get no benefit what so ever on that logging business, so he's not to optimistic to see any logging going on in this area, because he doesn't get nothing. I think trapping is better, same thing with fishing, hunting and trapping, they are good but it's been disappearing, it's an open place now, since logging came here. There is no place to hunt and trap when it's open, it's good when there's bush, you could get anything.

So he claims in the clear cut areas no animals will survive there ,not only the fur bearing animals but the moose also will not survive in an area where it is clear cut, he's got to have some wooded area to survive.

He's not to optimistic about clearing all this land because everything is going to be lost, fur bearing animals, moose, caribou and whatever is sheltered by that timber is going to be all lost and not only because he is not concerned for himself, he is also concerned about the animals, they're going to be lost. It's either going to drive them away or they are going to die

About the Ontario Hydro Development at Little Jackfish River he remembers when the first diversion was made at Jackfish River, he said Ombobika Bay was soup, with that clay water the fish didn't survive in the spawning beds, that was lost for many years, now it's starting to come back and now the same thing is going to happen. This happened back in 1948. He said that water is going to be so bad that no fish is going to survive there, and not only that, when they raise that dam, all those cabins, that a lot of people have their cabins in that area, hunting areas and trapping areas, it's going to be underwater, they don't want to lose any of that if there is anyway that they can get a different place, similar to what they have had until the day it's going to be developed, that's what he wants and would like to see.

Interview; Judy Rose Kwandibens, Auden October 6,1982

They are supposed to have a meeting here about that Hydro business, but they never had it yet.

Well I'm going to talk about the fishing in the three lakes I think they are going to get high a little bit, fishing is going to go down, hunting will be pretty poor, everything is going to be under the water. All the moose_______. Trapping too is going to be poor. Where are the people going to trap, not in Ferland, there is no room left to trap. The closest lake is Seymour Lake, that's the only lake that's going to be there and Lake Nipigon, there's hardly any game there either.

I don't know about that mineral resources, nobody ever look for that, long time ago, anyway, not nowadays, people are getting to old, the young people, they don't go anyplace.

What about if they flood that, I mean when the Jackfish River goes deeper than it is now, then that I don't know if the Hydro wants the people from Ferland to move, I don't think so eh? That's what they said, I don't know.

When the people, some of them, the old ones, they don't want to move to the reserve, they don't want to move there, the cemetery is there where their families are buried.

What the people from Ferland should get, they should really try to get a reserve for them.

If the Hydro starts working on what they are going to do, that's what I don't know is what they're going to do tothem Ferland people.

Their cabins are going to be under water, there is going to be a lot of stuff under there, all their equipment and their traps, other things, especially that house is big, a big cabin over there and they have everything over there. They never got everything out yet.

Then everything is going to be under water.

....2

, / `. .

So what they should get is some material instead of giving them some money, they get money and what are they going to do with it. Like whatever they are going to lose on their cabins, some of them are way down on Mojikit Lake_____

There use to be a cabin on, we use to be a trap gruund there. Maybe it still is but he was told not to go over there, all his things are over there yet, I don't know how much things he's got there.

So everything is going to be under the water anyway.

They should get a fair share, anyway.

Parks-crown land belongs to the government

-what can we do

-should have a group of people get together

-would back anyone on some of these

Hunting; we wouldn't have a place to hunt

; had trouble with game wardens but they cooled off

; parks affects us alot

Commercial fishing; no one does any fishing

; have to sneak around to set a net

; if we let it go at this we'll begin to

lose our rights

Trapping; bought a trapline from a guy for \$1000.00; could go trapping when he wants

; if they compensate in equal terms the land could

be further away

on the whole side it will effect everyone, would

affect the whole family

Logging; being employed

reserve gets benefits

In trying for new reserve found a letter from way back in 65 or 70. People back then were not educated to really try

to follow up in this matter

Ontario Hydro ; Jackfish River

;road goes up that far now

; timber company moving up towards that area

: that will affect this too

; will lose the way of life, which is going to

be affected

;ancestors been doing that and I would like

to keep it that way

In trying to get a new reserve we shouldget counselling from other people because we have no funds.

; Indian agent long ago signed up Indians to

Longlac

; some who never even lived there before

; the way of life will diminish

Interview; Sydney Abraham Chief, Longlac 58

Well any park, proposed park that's coming up in the land use plan, they should see any people or band members that have any input in there, consult with the Indian people first.

Commercial fishing, we don't have that around here but any commercial fishing arises around our area

Same thing applies to number 1, like the Indian people have the first consult with the Indian people first.

Hunting , trapping , we don't have much problem with that but we're getting charged left and right. I think our treaties are not helping us one bit.

Logging, well most of our band members are working and they are affected now due to the fact that all the companies are closing down. So we are about even on that.

Mineral resources, I don't think we'll be affected by mineral resources or anything.

Hydro at Jackfish River, I think the people around that area are going to be affected by their hunting and trapping due to the fact it's going to be flooded when the dam comes in. Trapping will be affected there.

So I think our band would sort of back them up whatever they got going for them. The people up from Auden or where ever.

That's all.

Interview; Glen finlayson October 12,1982

Economic Development Officer Longlac #58

For #1 land use planning regarding proposed parks, the outmost problem that I see for bands are, there wouldn't be enough consultation between the bands and the government agencies involved with these parks. If we have any arguments concerning the development stages, the biggest issue we would be concerned about is the factors that are going to hurt the band as well as not having enough help for the band in the future. So what the bands should be able to do is develope a package that would coincide with proposed parks in order for them to create employment for their members involved at certain stages of the proposed parks, but the real issue that we're going to be facing with these proposed parks are; the government agencies that do not involve the

bands; the bands themselves that are not prepared to back any arguments

; the geographic areasthat the bands are faced with especially the ones up north that don't have any training in these situations.

So if there are any comments that I recommend that the bands should do is; follow up on any proposed parks that do not involve the indian people themselves.

Now for commercial fishing, well we've had very limited commercial fishing within our reserve #58. So as for the benefit of our band members, I would like to point out that the bands have a strategy concerning the lake around the areas that bands would benefit from commercial fishing. So hopefully the bands recognize problems concerning commercial fishing areas that have the abundancy of fish.

As for hunting well, hopefully that our band can develope a package that would be able to put forward to the people and get the understanding that hunting can be carried out in all treaty areas for Robinson-Superior.

I guess the same can be said for trapping because most of the trap grounds have been taken by the Indians and I don't think we ran into a problem where a trap ground, by an Indian has been given up and is not been given back to an Indian, so I don't see a problem there.

So our main concern for hunting and trapping is the laws that have involved the Indians and white man to get the different views, if the white man is caught and if an Indian is caught.

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Logging, well the logging industries around the Longlac area have created jobs but since the lay offs been coming up, logging industry hasn't been productive as of late but band members, at least 40% of the band has been employed by the logging industry over the past ten years. So the real concern is the consumer but I guess if there was a set treaty for Longlac 58, that the royalties would be given back to the band if there are any.

And the mineral resources, I don't see any problems in solving any problems that the band members wouldn't be hurt by it because nobody has approached the band that they have found any mineral resources around the area that these proposed parks are going to be sitting on.

As for the development in Little Jackfish River, I think that problem would be solved by band members that are going to be affected, when they are defining which bands are in the geographical area of the development.

So my comments I guess in the overall comments of the whole situation that the resource people that the bands do have working or employed, hopefully they'll understand that as a band and 100% of the people will have the knowledge of the situation that they will consult without any problems in land use plan, hunting ,trapping, proposed parks, logging, mineral resources and the Hydro project at Little Jackfish River .

All I'm concerned about now is the timber, as we got a piece at Jacen reserve, we try to put a stop to it and we got people coming in from Sudbury here tomorrow or Nednesday. Meet with the forestry in Wawa, we are going to try to put a stop to it right now. We have a Northern Council There's a company that got Northern Council, 1985 its good until 1985. So if we put a stop to it now, and they cut all over our reserve, and we won't get bugger all out of it.

So were trying to put a hold on it, but I don't know how successful we're going to be but we're going to try.

The parks prepare to come to us before we supply the work for them, we said no because they want us to cut the wood here and then deliver it to BATCHOWANA.

That's nearly 40 to 50 miles from here. That part is out of the question.

All kind of fish, we are allowed to catch fish for our own use. Commercial fishing we got to deliver it to Massey, about 90 miles from here. The cost of gas and we got small boats too. We catch two to three hundred pounds and that's not worth to take down there.

All kinds of places to hunt.

No trouble at all trapping. Last year, well I'm the only guy that's trapping. I took sick to give you. The band had three township # 74, #34, and # 35. Anyway this one is in #35 in the railroad, they told us if you want that one will change you for #72 or something. I said why all the beaver are not coming back there, because of the population of the water. So they said we'll exchange if you want other than that we can't give it to you. So I didn't know that. I took sick and was in the hospital most of the winter and this summer, I brought it up again. I said I want all three of them, then they say no problem, so I went to pay it, and I got it. So I didn't have no problem.

Who are we dealing with in mineral resources.

How do they play the role in the reserve. Two ago

I didn't notice the fish were dieing off and I notice beavers.

The beavers didn't hang around there that year. But now seems to me it's clearing up, but I guess it's about time. Somebody is doing something right.

I don't know, I couldn't as far as I am concerned right now is that we have no problems. If we want to hunt in the parks all we have to do is tell them where you want to hunt and that's all. We can hunt anytime we want, we didn't give up our hunting rights anyway.

Interview; Stan Sabourin, Pic Mobert

How it was 50 years ago or even 25 years ago when there was Today the younger people are picking it up and they're living that way. The Indian people cannot survive in both worlds. That is the white man's world and his own world. He has to make a choice as to which world he wants to survive in because the education in both worlds is a lot different. The two worlds do not intergrade or mix. People say there is progress. The progress that the Indian makes is slow but it's sure. The progress the white man makes is quick and there is always problems. For example Red Lake is 27 miles long and it's a beautiful lake and yet there is in it. And yet there is mercury contamination of fish. The mercury reading was quite high, yet our native people have to eat that. Well we didn't pollute the rivers, it was the white man who did it. Companies like Domtar, American Can, and companies that burn sulphuric acid, that mix with the clouds and then in turn comes down in rain. How are our native people going to fight, we don't have money to fight big companies or giant corporations, we just can't do it.

For mineral resources, there is a gold mine opening up from our reserve just 12 miles away. The gold reading was quite high, higher than Red Lake, when Red Lake gold mine first started. There are four companies presently in the gold search. Well I believe that the native people should be hired first before anybody else, because we are from the area. I cannot understand companies that bring in labourers from out west or down south or down east to come up here and work in northern communities, when they have labourers right in the north. There is no justification for any mine that is going to open in the next year or so, why they shouldm't hire us. The same thing happened with the Abitibi company, which is 22 miles north west of White River. They in turn only hired a few of our native people. The mineral potential around our reserve is quite high, we have the geographical location with the lake, formations we have copper, zinc, gold, lead, and a little bit of coal.

As for the land use plan, in regards to proposed parks, I first reviewed this information package about 7 months ago, and the only way I received it, was as a concerned citizen of the place I resided in. I went to the M.N.R. office in Thunder Bay and they gave me a pamphlet. They told me I don't belong to the Thunder Bay planning zone, I belong in the Wawa District planning zone. I had to write to Sudbury for a copy of it. So I went to Sudbury and I compared the two plans and it doesn't matter if we have any input into it anyway, they are still going ahead and do it. That's how I personnally feel of it, and it's going to affect the tourist that come up here and it's going to affect the people that live here in the immediate area. It's also going to affect the future generations of the people around here.

nterview; Elmer _______Heron Bay

lot of times I think, well a lot of times I say, why can't the overnment here, say stop, let's settle one thing at a time, let's ettle with the people over here, that own the land. There was ever no treaty signed here. We never surrendered or anything. hy can't we settle for everything we got before we start uilding. That's the way I look at it, that's what I like to see. ecause once that thing goes through over here, who are the people e got to deal with after.

ou got all the companies. Tourist, you name it.

ommercial fishing is not going to come in.

ou see, the things that I've noticed with the governments, both overnments, both federal and provincial. They only use that .N.R. as a weeping boy. You know when I try to deal with M.N.R., .N.R. won't deal with you, you know, it's got a blind ear 'cause e don't care. The governments are on both sides of him, and both he other governments blame one another, then where the hell are ou, I don't care how much we cry.

hat's from my own belief, I don't know about what other people eliieve because there are a lot of things involved in there. ou got your land, trapping, hunting, you name it, everything s in there. They are going to tie you off, what are you going to o. Everything is going to be so regulated. It'll be so construted hat you can't move. The same position as we are now. We got to ive on one little reserve and that's it. We just got to look on he outside. In a little round circle looking out and nothing oming in to you. That's the same thing going to happen here. f you had more time to really look at it and say let's settle our ifferences first. You can wait, you had your chance to really uild up, you built that up but you screwed up also, you screwed p the environment, you screwed up the fur bearing animals, the ommercial fishing is gone, where it's going that pollution, the verything else is going to go. uman business, that's all gone.

Also kill my game, we're just going to be, what shall I say, D.P.s
in our own country. That's what we are going to be, nothing else.
Right now we are D.P.s in our own country. I mean that's the way
I look at it myself, my own personal views, not to long to look
at it in continuation
now what have they got, they have got nothing.
In the office we haven't got anything to offer, at least maybe if
we did have something but we don't really have our land. We can
say, negotiate with that part of the land to make a living for
our own. Take a look at our community here, in ten years, where
the hell are they going to move to, we need land.
to tell the governments to hold off, hold on
,let's settle one thing at a time first. You go
Since there might be some good things in there but how good are
they for us

nterview: Antoine Moses, Heron Bay am not very good on talking, some of these words I don't

nderstand.

ar as I know from what you said I got everything you said that houldn't be allowed.

or myself where I am trapping, I been trapping here, I don't now how long, for the last 30 years.

ow just the way you say, maybe lot of them people they going o lose their ground over that and that ground I got here right ow is pretty handy for me, it's not to far from my place. hat's just about all I have to say.

ou mean the parks, well the parks don't help us at all , far as see. Maybe some people does, not very many though.

don't care for it.

Interview: Toussant Michano, Heron Bay
Waterways is supposed to be a free access of land for any people
When Lake Ontario people, when they cross or barge here, sometimes
in the operation, when they cross over, they couldn't block that
off because that's an access. Same thing with that waterway here
they say did you knowinterest
we'll see the most we can do is two years.
We have the waterway. Waterways cannot be made made into a park.
No way unless it's an new thing that comes under the new
constitution act.
The act is anybody's problem.
Trapping alone or
Travelling across the waterway if I can't travel
what am I going to do
Here in, we have free access to hunt and travel
our land for Indian people but I don't know.
See right now we shouldn't jump to conclusions because we can kill
moose anytime but what I am saying, does this thing here conclude
that portion in, does it say anyplace.
Why was this concerned to any people, does it concern your own
people, does it concern our Indian people too. That's the question
that should be asked. You should ask medo I want
a different answer. Why, the reasons I won't get a license next
year, a little more time to prepare himself. Just expiring me,
just tell him to go. What did you do about it, nothing. It's
just time now, we should do something about, far as I, what's the
reasons why, it's his last years. Trapping, he's got the right to
know what's going on. Same as the other thing, don't wait till the
last minute.
What's the meaning of white society. Even say that I move my shack
here, trapping I know everybody around here, I can't really live
in or say nothing. When we asked the M.N.R. what's the
well you just can't. They never give any reason why. That's just
it I suppose found out why they
wait until that thing runs out. Even say next time say he's got
lots of time before expiry date, one way or another it would be
good. They tell him anything, this is since last year, promises

something planned, not since in there that's going to be a
development or a corporation that's going to take place in there
You phase that guy out of there, then you're going to have to
compensate that guy to move him out of there, later on, if you
push him out well that sit. If anything starts up in there,
will you phase him out, well you got to pay him so much amount
of money. That's just the way it is.
You guys should find out about these things.
I won't say it any more, I said it to much in meetings when I was
in meetings to ask for meetings, nobody won't look. It's coming
now, it's there, so what are you going to do about it. It's
what are your plans, what are you doing, I
shouldn't say try, this is what you get for trying to do right
That's the same thing with
We got to find out what's what. What's the answer to these things.
If you don't find out now, you'll find out it's to late.
Flying, fishing, hunting, trapping, logging, mineral resources,
and all these here.
There's got to be answers taken into consideration, what's the
future benefits for the people. Who should benefit ?
What's hunting going to be ?
-is it going to be limited hunting
Did you see where a guys going to phase out
I can see in my own experience that certain things are coming,
it's going to be allowed, you're not going to lose, your not
going to do that, try and to find out what's going to happen before
the end of the century, but before the end of the century, it will
be 83 next year, not to much more time of this century left.
The public has got to change.
everything up in the air and hardly
anybody living here, that's not
It's time we should, these things should be solved, because we hev
have been talking about it for, I don't know how many years now.
talking at meetings, nobody has done anything
about it, still no answer from anybody.

Watch, when we talk about it at meetings, nobody answers me. As far as that goes, 2 to 3 years ago, I never even got an answer for pete's sake.

That's how the Ontario Indians and The Union works.

That's how the Ontario Indians and The Union works. That's what an organization is supposed to be.

If I would have got Lake Superior Union, I could have got I tell you, ok a certain definite answer on hunting within maybe a week, 2 weeks, or 3 weeks, so I can put this in my meeting. You got to repond on that, what am I supposed to tell the people, a big lie?

When ______ how come you said that. That's what it's supposed to be, that Union of Ontario Indians is all about. They are the ones, an instructor, give us the definite answers, find out here and there. Give us the right kind of information.

Nobody is going to listen.

	goes	to	trappers	9
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They were supposed to be phased out as the park goes along, but we must be compensated and be put someplace else outside the park. Well we just keep on trapping.

The agreement with Parks Canada, that thing is over populated, the native people have the first right to thin that out, very concerned. They have free access to the park. That's no problem. That's the agreement they signed.

After that was signed they cannot evaluate that thing, it's signed, that's the document.

They are supposed to have a party to do research.

That's a lot of things should be changed, mineral rights should be changed so you can, whatever mineral you get, you can grab that for your own reserve, never mind the Ottawa

Interview; Mike Wanakimik, Pays Platt

I don't know but from my point of view, is we should keep our rights to fish, not for licence or anything. We should be entitled to sell fish for our own use and our groceries for some people that don't work. If we start to import to someplace else out of Ontario, it would be bad for us. Then the game warden will come along and say well, what are you doing shipping everything across the state border when you should keep it here, keep the money for yourself and that's what we should do.

If we don't keep up the Indian custom, we had before, we could hunt any time we want, we could fish any time we wanted You know that's our own fault, but this thing here is saying the game warden comes along and says you can't fish. I don't believe, not to sure but 300 feet away from the shore, outside it's alright, that's good but that's what I would say anyway but trapping before all the Indians in Pays Platt here, they had two traplines and licenses, one on the west side and one on the east side of the river and went all the way up to Greenhead Lake, all the way down to Pukata Lake, came out from Gravel and they stayed all winter long and when the game warden came along, they gave the license away to another person.

I don't know who's got it now.

It's not fair to the people that want to trap. We never had no license before, we just went out there and trapped.

Since they tagged our furs for us but now it's pretty hard to get a license, we got to ask them and ask them. They say we well you can't, can't give it, but the white man asks and sure they give it and this is bad policy for the Indian who wants to trap on the reserve. That's the life of the people to go and trap and come back and feed the small ones, feed the kids and I don't know, it's a bad policy for me anyway because I don't believe the game warden shouldn't say well you can't go trapping there in a lot of places this is our own land, why should we pay to go trapping. If they pay for why should we turn around and pay for what's ours.

This is our land, you know.

Why should we pay for it. Why should we pay the government the government should be paying us guys the whole works like before we had nothing. Same thing with logging.

The logging we should have more say about the logging business. I see all through this park one time and you look down there, that big companies just slash down and wasted wood.

Interview: Marjorie Morriseau and John Boucher, Macdiarmid On top of that they cut down on commercial fishing, they are always looking for, they are one step ahead So they cut down on all those business, people can, t fish on that ____ lake pretty soon. If they put that dam in that place there well it would be worse as it is now for fishing On top of that cut down the license Now they block that and the commercial fishing, now what is the people going to live off this lake here[Lake Nipigon] Its mostly everything they want to make is for tourist its not for people in Ontario, here in Lake Nipigon back and ask for trapping area, there is no more trapping area. My trapline is up in Jean Lake no not up there Jean Lake Well they are making to many parks anyway, what the do they want that many parks for The more people they bring in here for sports fishing, they are taking just as much fish out of that lake when they come down and fish All them tourist thats camping donw, if they are going to make some more parks just for tourist its not for people, its mostly for tourists thoss parks by and live or go in and you try to live over there in one of those -- look at last summer what happened to me there the treaty Indians starting to pay to stay in the park Even that old reserve in Sand Point where I stayed there last year They didn, t want me to stay there and they are not even using the land and its our park Why did they move us out of there. They say its not a park because its not a reserve no more. What are they keeping it for them For tourist But nobody can, t stay over there on the other side of the creek Simon and them there, thats their trapline along there_ this side od the road at Postagoni Lake. There's a lot of

things they are goin to get rid of here. What are they going to do to the people who lve here. As far as that goes right now, anyways you can't This logging business, pretty soon, 5 or 6 years, where are you going to get your wood from. You can't go and cut anyplace you want, they are going to stop you. They'll send you someplace to go and cut where there is big fields, there is just fields no wood, you can't burn that poplar, since there is lots of poplar Why don't they take poplar too, they take all the best wood there is, nobody can't burn poplar, that's why. We're like a white man now, you can't do this you can't do that. No fish left there As it is right now, a lot of those fisherman, they don't want to draw unemployment. They got to go on welfare. because he said They go down on ____ not enough fish in the Lake Nipigon, it may be worse after that, if they close that river (Jacfish River hydro development). They have some kind of a little dam there right now 'cause under that bridge, at Jackfish, it's all made of cement. How many fish have a choice to come down and go up too. It's not steep. If you go up, you come down, it's very fast water there. He's seen that, we've been there, that's where pickeral hang around, there's a lot of little camps where someone's been fishing around there fishing. That's why they want those parks, mostly for tourist, Americans to come and fish, I don't know why they are trying to do that for. What are they going to gain by that? They don't care about this land in Macdiarmid, he just care for money and tourist. That is what he cares for. Like they are bitching about people getting welfare. So what, maybe you get a job there if it's just for the season, till that park is finished. The _____ is gone and no more work. your land is gone. Sure they promise you a job but how long is it going to last that job. Plus you lose your lake.

After you are finished, your lake is gone, no livlihood, and your money is gone, and you try to make a living here, you got to hire a car to go someplaces. If they do move you and promise you a house, maybe they will still put you back in the bush. What are you going to do with those resources on the other end all those ______ want to hide, they want to go on the lake but they can't because there will be no water. Just gather enough water to go like ti is now, if it goes down one foot, nobody can go over there.

More people that's commercial fishing on this lake

And hunting, well Indians go and hunt anytime they wanted a moose and trapping, they all trap in the winter time, not many people do.

Logging, nobody logging here.

Mineral resources.

Like tree planting and tree thinning is pretty good because it need to replace the trees that the company takes out.

Well they are planting back everything, what they need to make money, spruce, jackpine, black spruce.

What about birch, there is no birch around here, they are taking all the good wood out of this place around here and they leave all the stuff they don't need.

dump to go and get a load of dry wood. How far do you have to go? In the winter it's the same, you need to use the snowshoes to go and get wood.

The forestry is supposed to leave one road open for woodlot.

In winter he's supposed to leave one road open for lot.

You go there now, they don't give you a permit, they just tell

you go over there and cut, that's all we do now.

They never do that because it cost money to open that road.

Ask your boss, where park is going to be, if it is right in the middle, be a nice spot for hunting, ______ or that.

Maybe it will be close to a river where a little town is, well your not supposed to hunt in town.

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Go ahead put one there, and if you that right in the middle and you have good hunting place, I don, t need the park there before.

They got control of that already you can,t fish any place you work to fish. They pick all the good spots for the toutists the middle of the lake for fishing.Look at me I am the guy thats I didn,t even know whrer it was closed season. Just fishing from Ombobika Bay, I was going to Gull Bay going along the shore fishing you get a load of fish, then I come in and go back again and start off where I left off, just to see the lake. Well thats how come I got caught. I didn,t know whereabouts the boundaries were

What the hell would I go after speckles trout for. In Commercial fishing. Thats the last time I was caught in the speckled trout where they spawning grounds for speckled trout thats what happened

In South Bay, there is good fishing but you can, t fish there They, re blocking all the good fishing places.

Some people are fighting for White Sand. They want their reserve there

Well, they are having a heck of a time getting it back, If they get it back, that's where all the good fishing is. Them people could live off of that lake.

That's where Charlie Matchendagos comes from, and pretty soon people will move away, where are they going to live. Government doesn't want to give welfare you got to go five places to look for jobs. Where they send you, there is no work in MacDiarmid. Why do you have to have those five places for. You have that

any do you have to have those live places in. Tou have that
every two weeks to go and look for five places
you have to hire a car to go to Beardmore to go and look for a job
for 15 bucks. She's got to charge that trip in order to get five
names on that welfare Why ?
What happened is there will be no more fish because
he give all the spawning grounds.

There will be no fish in the lake, that's what is going to happen.

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Like in Geike Island, they got a big spawning ground, most he got is 4 feet of water, that's where the white fish go in the fall, we seen it and if the water goes down, it's down only 4 feet now. You lose all that big spawning grounds. It will be one year, if you lose a spawning ground like that. They can't spawn in the deep water, they spawn in shallow water. It's a seperate place where there is a nice bottom.

Interview; Jerry Adams, Macdiarmid

I really don't have much to say but I don't think they shouldn't be doing what they're doing anyway.

Feople in Toronto don't know what we really want, they don't live here, but we have to live here.

So what do they really know what we want

That's all I have to say

It is with great regret the information gathered to this date, does not look so rosy for native people in outlying northern communities. They all seem to have one thing in their vision, that's losing their identity and way of life It goes beyond that, some fear aboriginal and treaty rights will slowly diminish, these were once very very proud and contented people, but to-day they are walking around in a daze, waiting for the final blow.

The restrictions the government will impose upon them, they know that they've been treated unjustly right along, but this land use plan right in their back yard is a little to much and many of the native people were never consulted. Who ever agreed on their behalf would be someone to gain the most and that's either the logging companies or tourist outfitters.

In the past Americans acquired a piece of land and were awarded of such, but the natives of northern part of Lake Nipigon have been asking the government for a tract of land to establish a reserve for the people of Mud River, Ferland, and area, but no progress. This same hardship also applies to the people of Aroland community.

One commentator went as far as to say, M.N.R. are the biggest rapacious, allowing these timber companies to harvest all timber to bare, except for tamarack and allowing the Americans to travel freely with no control, catching fish all day until a trophy size has been caught, then throwing the rest over board.

This also goes for bloberry picking, Americans do come to our blueberry areas and pick a numbered amount of baskets takes a trip back home with these berries free of charge brings his own gas and provisions ,who benefits, no one but the Americans, maybe the government. Now the M.N.R wants to impose strong restrictions to us native people. The natives that had a trapline and loses this trapline due to lack of working his or her area, but the white man is different, he keeps his or her tapline regardless if production is minimum or none!

This also applies to commercial fishing etc..

Interview; Sylvanus Nakanagis, Rocky Bay October 28,1982
Logging, I think that on logging, the people in the community area should have the first choice to cut in that area not the big companies. They are holding all the logging areas, and I don't see the small guy with no money, with cutting area as big as Great West Timber or Domtar. As for nipigon area, its all full of big companies. In Nipigon area, how come the big companies get hold of the first choice first. Year after year the same company owns that wood cutting area. I really don't think they should own that much land in the first place. As a native myself I think that I should have the first choice of this land.

Parks, as for more parks in this area and other areas too.

The parks seem to want more garbage coming from the "states".

They bring their own food and canned stuff like that and they dump or throw the junk in the water or anyplace in the ground.

So this is why I don't think we should have any more new parks and it will affect our trapping and hunting. So I think as for us, the native people, we should think about our hunting rights too.

Interview; Ron Morriseau, Beardmore October 7,1982

I am Ron Morriseau, I work for Ministry of Correctional Services.

First I will start on the Land Use Planning regarding proposed parks. There are many parks that are being developed within our district which land could be used for other reasons other than for monetary or capital gains from the M.N.R..

The parks that are being used have been previously lived on as reserves and that a lot of them have been developed into parks without any consideration as to who had lived on that reserve before. I have previously in the past talked to Indian Affairs and I have never gotten any results due to the land use plan from where the parks are located now.

Commercial fishing is, I don't really know to much about, other than fishing with a rod and reel but my concern is the Ontario Hydro Development at Little Jackfish River, it would deeply affect commercial fishing because of the water that would recede from where the original river was. All the food and fish and spawning beds that are on river beds will slowly disperse, as far as I know, I've lived here all my life in Beardmore and I know lots about Lake Nipigon and it sure doesn't look as pretty as it use to due to the dams that are all ready there.

Hunting, there are places we can't hunt and where we used to hunt because parks have been built on these sites, our hunting has been limited to certain areas and these certain areas are places where land has been scarified and cut down due to the logging industry.

After the land has been cleared out no animal would live around the area because it's food had been taken away and it's source of livlihood has been boldozed, the ponds or dams where they lived has been boldozed away and the marshes have been covered up where it's a livlihood for many animals and fowl and others.

Trapping is also on the same principal due to the cause of proposed parks and hydro development of Little Jackfish River which will come into existence in the near future.

On mineral resources there are a few people, two or three native people in the Beardmore area who have found mineral but did not have access to the place where the mineral had been found previously because of the roads not being maintained by M.N.R. or any one else.

...2

The fishing part also in places, the entrances to the road that leads to a lake is boldozed or ditched out at every entrance of the road.

The Ontario Hydro Development of Little Jackfish River, I personally don't think to much about this because I have always admired rivers regardless of where they were or what they were. I think the Great Spirit had developed these things to be as natural as they are supposed to be. At one time the natives were happy to be able to use land as they seen fit, to commercial fish, to hunt, to trap, to log accordingly, to use mineral resources for usable reasons but when it comes to other developments or projects coming up these are all abolished.

I personally feel that these things should be allowed to exist and for everything else it should be used accordingly on some other suitable areas that is not being used by anyone.

Megwetch.

Interview; Victor Esquega, Fort William Reserve About hunting and fishing.
Fishing should be given to the Indians for one thing. Hunting should be allowed to be like always, hunting year round and trapping, well of course the Indians traps all the time, they should not lose their lines. whether they get enough quota or not.
For logging, is that logging on your reservations or around your area.
Well it did affect our reserve at Sand Point any way because we never got nothing out of that.
A company that cut in there didn, t do it, like Domtar pulp and paper Company. where did that stumpage money go to did it go to the Band or like the Indians should get the stumpage money for that thing because the are there
Just like here, when you log here you get to pay the stumpage noney to the band, and thats where your band funds could come in from that thing there or the logging and this other cause here, resources.
Well if you got lots of gravel in your reserve you can sell that gravel. You can get some money out of it. Some of it would go to the band funds.
Ontario, Hydro Delopment. At Jackfish they shouldn, t allow that, I mean the Government should, t allow this thing here to through, like thats affecting the fishing, affecting
everything, thats what happened to that they emptied inot Ogoki River, into Jackish, you know that Jackfish thats in Om bobika.
Thats what its affecting, especially that fishing grounds. But all these things here should be taken care of see that the Indians won, t lose this rights for trapping or hunting because thats the only way the Indians can live and they take that away from then and they won, t have nothing. But just like here to, some thing, everything, like Central Wortgage he takes everything away. That makes it bad for the Indians.
He loses everyhting and say you don, t pay for your house like this you don, t pay for it, you lose it, Central Wortgage has in the here
Anybody can go and move in there white man or any body. Whoever could be able to afford to pay for it. Thats the way thats whats bad for the Indians to let that thing go throught It doesn, t look
· ·
What I think about Sand Point Reserve I am just wondering if we ever be able to get it back or have we got it. Thats what I am interested about.
How would it be if Mr. Morrseau. I write a letter, write it out and mail it to you and get the moves here, I know my boy wants to go anyway. Well its going to hurt the people lots to, like fishing, you only got so much to fish, you can, t just fish as much as you like.
They close the season for you close the season for the Indians Thats what is happening here. That must be happening over there and your fishing rights. go dnn,t think thats pretty bad, they are taking that away from, Dept I Lands and Forests, taking that away from the people
For myself I don,t think its not right.

For logging well you can log or your own reserve as for as that goes if you got timber to cut, to make your living.

For trapping, of course trapping is more, it helps making your living to.

If he traps all the time, whether you got a job or not, if you think you can de trapping, make your living.

If you got a good job outside you have to have colervation, you have some kind of trade, but one thing I can say any way, about the Indians people, thing should he able to train their get their training courses for carpenting work or plumbing, or electrician, thats the good paying jobs. The heat paying jobs thats a good trade for them people.

Thats what I have in mind, But you have to get a trade other wise you will never get a job no place, its hard to get a job Thats what I think.

But trapping and fishing thats a good life too if you can, if you would bring or give monry.

Hanging on to your monry is the hard part, for anybody.

If you can save it, put it away, put some of it away, their you would have a good standing.

But logging you make money too if you log for yourself.

About the minerals, minerals is a good thing too if you got lots of gravel, stiff like this on your reserve then you could get lots of money out of that, That all I got to say.

Interview; Howard Bannon, Fort William Reserve Concerning the parks involved with the, I want to pop this question, Pukaskwa Park which is a Federal park developed along near Heron Bay, past Heron Bay I guess it is. Concerning this, the bands were involved in the negotiations contracts, I guess in releasing this land for this park. At the time it was supposed to be a lot of Indian employment involved and it seems like they are not living up to these agreements. They started out with people, Indian people being employed and it seems like, right now, they sort of cut back, I don't know, the white people were on these jobs. The other thing in that area, the hunting and fishing. I understand that the, not to familiar with this, but the hunting and fishing rights which, I understand that the Indian people can go in to hunt and fish, but then they sort of restricting them now, especially on the fishing and trapping licenses in that area. I don't know why they don't let them use, be closer to lift their traplines and stuff like this. One of the older fellows I know, he had a trapline in that area and was having a lot of problems. You just can't go in the bush like you use to.

You just can't go in the bush like you use to.

On the other area, Jackfish area north of Lake Nipigon, there is another proposed park in that area. Now I am not to familiar with that but I think it should be a lot up to the Indian people, in deciding which ______ move into that area, whether it be parks or also the hydro dam that's being proposed in that area, or cutting the area out.

The Indian people should ______ decide on this. A lot should be

The Indian people should decide on this. A lot should be determined on what the Indian people need up there and want. Up in that area, there are a few reserves, there is quite a few five or six bands that are trying to devlope one central reserve, Whitesand Band, like these people coming in from Collins, Armstrong and so forth and several other reserves. I think they should be the ones who should say what they want up in that area or need up in that area. If they do redevelope this park or dam up in that area, I don't think it's going to create jobs for the native people up in that area. You know it's going to be so small that, in the first place on the dam, if they want people working there they are going to have to be union people and so that leaves out

the Indian people because they are not trained for positions that they are going to need, they are not unionized, not, don't belong to unions. So employment is going to be very limited to Indian people up in that area. So that's, you I could say a lot more on this parks and stuff to-day, but at the time I can't really think, what I should be really talking about I am not really familiarized with all this stuff that's going on up there. If fishing, commercial fishing also, food fishing, I think these aboriginal rights, to the Indian people, where they can catch these fish and I realize that commercial fishing is _____ for sale and barter, but the food fishing, I don't think they should be stopped, at my point, from catching these fish, for the bands' use. Again this stuff is all in the Provincial jurisdiction and we're as far as I know, no agreements with the Provincial government. Ours was made in a treaty with the Federal government. So I don't see where the Provincial government should impose any laws restricting the Indian people from fishing. Hunting and trapping, they are in the same nature as it will affect fishing rights. It's purely aboriginal rights for the Indian people, for our own living.

Interview; Frank Pelletier, Fort William Reserve
Well like I was telling you, the first thing I feel, I feel
they shouldn,t close off camping areas, you, know, you just
restrict them too, picnic areas, I feel that places that people
enjoy, they should be allowed to go there over night and maybe
2-3 nights and with out paying naturally or if there is a
mininium fee, I don,t think we like to be ripped off you know
by paying a lot, a lot of money.

The other thing I feel is that about the parks is that it restrict a lot of that fishing, or hunting especially where I guess maybe the hunting more then anything also because people just can, t go in there no more.

I don, t know, just like the other day a guy was asking, and he says where can I hunt, I got to go to hydro______ and hunt.

What does that mean, you know, what does " " I got to go to the hieght of land, where all the hunting is done on crown land, that most of is park or provincial, parks, I mean that area is restricted. You know there is no more hunting there, maybe the fishing is there but you are limited to " X " no. of fish per day or some thing like that. Your only allowed to take " X " no. of fish to take home its just like a game preserve.

Well I don, t think thats right in that area.

Why should it be preserved.

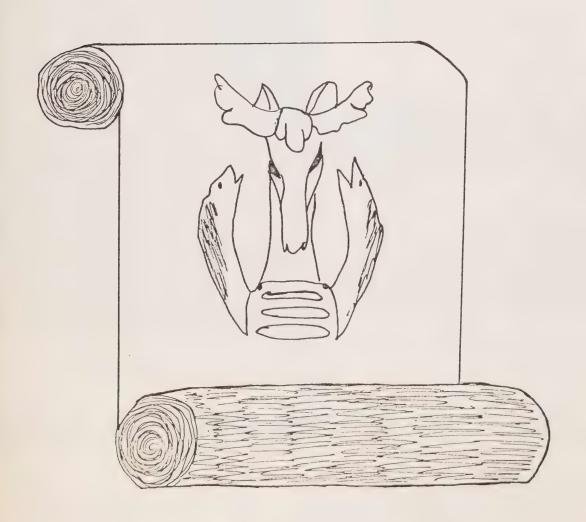
You mean you got a border and you got to, but here and then you got across to another border and you fish there, and thats it.

Then you fish there and you know its preserved.
Its

I agree with the parks, because a lot of times you got to, where you need parks, and it its good for the people, its good for preserving staff, something like that but I think they shouldn, t deny us from our hunting and fishing. This is one of the things that they promised we always have I don, t know how much more I can say of that Is the scale even or is it one sided.



SINGLE NOUSTRY TOWN





PRESIDENT AND FOUNDER - The first president of the itibi Power and Paper Company was its founder, Francis Anson, who was born in Michigan, U.S.A. Phot Paper Company).

Iroquois Falls was first reached by water from Matheson en called McDougal Chutes.

Materials were transported on rafts by Watereag River and Abitibi River.

Ontario Northland Railway built the track up to Porquis ich was called Iroquois Falls Junction. The material for the all and the construction of the power dam was transported seven () miles by horse pulled wagons.

In the building of that road, which was covered by cinders, see man was buried alive. Lickily, he escaped with only a broken leg.

The mill was constructed by robust French Canadians while te paper machine workers were imported from Watertown New York.

Quite a few were married and their wives wanted to join em. Therefore the bunkhouse had to make do only for a little while d a Townsite was planned by engineer Tom Adams.

By 1916, forty (40) homes were built and forty (40) more re under construction.

Unfortunately, the Matheson Fire destroyed fifty-two (52)



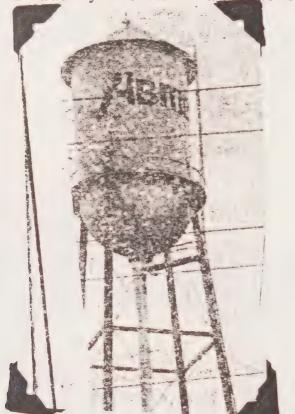
When Mr. Anson came to Iroquois Falls by raft he saw bush. e falls in this picture now is the site of the Iroquois Falls Power ation.

ROQUOIS FALLS - This picture taken about 1896 shows the Iroquois Falls, Abitibi River. The falls lisappeared when the Abitibi Company built its dam.

The original Town of Iroquois Falls had its first Mayor, S. G. McCoubrey, who occupied the first finished house in 1914.

When the Town was incorporated in 1915 it was limited in space and stayed on the Northern side of the tracks which had been extended from Porquis to ship the finished paper to different printers, mostly in the United States.

Quite a few people, especially the French Canadians and the influx of Russians who had come in 1918 - 1919 to build the railroad track from Porquis to Iroquois Falls did not find homes in the Company Town, therefore, they built on the southern side of the Y made by the railroad tracks.



Familiar scene that greeted the people coming to the Town. It provided water to the three Towns and has been replaced by a larger and more modern tank, placed on the Mountain north of Montrock.

The Town of Iroquois Falls was totally owned by the company, houses, stores, hospital, bowling alley, pool hall, skating arena, curling rink and golf club, were all operated by company employees and left no room for free enterprise.

The Hospital mentioned above was built in 1925 and opened in 1926.

A Library was opened but it was also sponsored by the Company. All residents paid their rent, power and water bills by payroll deductions.

Ansonville, named after the founder of Abitibi Company, was ten called The Wye because of the railroad tracks between the two lowns.

Stores were built, a Hospital, some Churches, Schools, Drug Fores which sprang up to seventeen (17). Some did not sell many spirins but mostly liquor.



Railroad Street in early Ansonville. Many came to those sores for more choice than was offered an the Company Store which is situated in what is now a Parking Lot next to the Royal Bank the corner of Anson Drive and Cambridge.

Each barbershop was a Drug Store and one even had a pool tible at the back.

When The Wye was getting too crowded for those used to the space they formed the adjoining Towns.

In 1919, Calvert Township was incorporated comprising The Ve, Montrock, Porquis, Kelso and Nellie Lake.

Montrock was first called Victoria, hence the Street named Victoria Road. The name Montrock seems quite appropriate because it is situated on the southern side of the small Mountain.

In 1919, the Municipality of the Township of Calvert had its first election with Mr. Dan O'Mara Sr. as the first Reeve.



Mr. Dan O'Mara Sr., first Reeve of Calvert Township

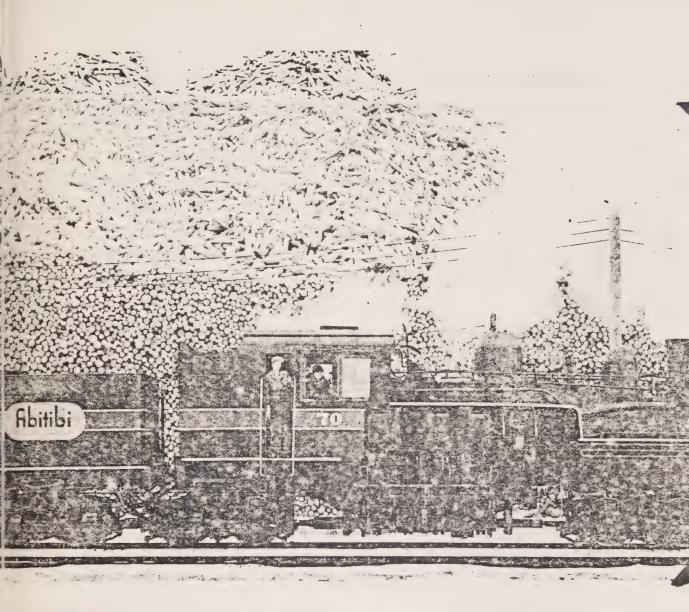
There is a park (playground) named in his Honour. It is on Avenue de Maricourt.

Abitibi built a bush railroad in 1922. This served to bring the Bushworkers to their families more often.

If a family did not go to the Lumber Camps, they did not see Father for almost six months.

It was also hard to follow the worker because Abitibi provided small houses for families but thosewere scarce and most of them were reserved for the Formen and their families.

Families with children going to school were also held back unless the Mother could teach the Lesens to her own children and most of the time she could hardly read or write herself.



SLOW BUT SURE - Built for Power not for speed, the Abitibi Paper Company's Shay was ideal for hauling logs from the Forest

The railroad also brought wood in the Winter when the River, its regular means of transportation was frozen.

A small yellow Bus being driven on the Railroad served is transportation for the men. Because of the bright yellow color it was named THE CANARY.

Mr. Anson, founder of Abitibi, in Iroquois Falls died in 1923 and was followed by Mr. Alexander Smith.

Abitibi expanded to Smooth Rock Falls in 1926 with plans to build in Cochrane the following year. The latter never was leveloped.

Abitibi, when establishing in Iroquois Falls had to build a Power Dam to provide the Mill with Electricity.

In 1915, another plant was built in Twin Falls and in 1925 they bought Island Falls.

When Abitibi built the Power site in Abitibi Caynon in 1930 they had more power than they needed and sold the surplus to Hydro to provide some mines in the vicinity.

At that time, the Company had to encourage people to leave big Cities and comfortable lives to come into the wilderness and stay even if all the commodities had not been installed.

To provide a certain social life the founded a Lounge for the executives, a Christmas Party for the Employees and their wives was held and each household received a Turkey for the Festive meal.

The people in The Wye also had some recreation, some good Fiddlers, Guitar and Piano players gave them good evenings of square dancing.

The Russians, Ukrainians and other nationalities congregated in the Uke Hall on now St. Helen Avenue to share each others cultures and enyoy themselves.

There was a silent Movie Theater on Ambridge in the vicinity of what is now Capitol House. The Street then was named Railroad Street.

Iroquois Falls was a liquor-free Town except for the Clubs. Sometimes a bootlegger, one who sells liquor illegally, was caught by a Company official and left Town by the next Train with an escort to the Station.

The Liquor Control Board opened an office in Iroquois Falls in 1928.

The people were given coupons and liquor was sold on a rationed basis. Even if you had the money you could not buy your liquor without the necessary tokens.

The Drug Stores in The Wye provided the rest and quite a few people made wine, home-brew and some were bold enough to install stills to make the real strong Alcohol.

The old Hospital built in 1925 and opened in 1926 was getting old and a new one-storey building was built on Anson Drive in 1956 open in 1957.

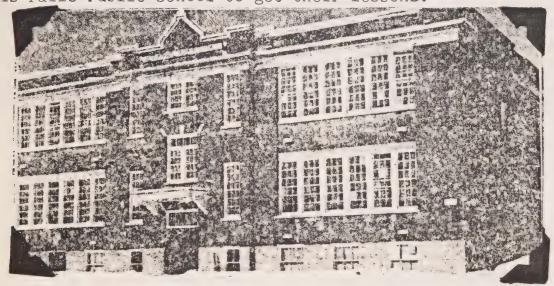
The modern building also has the Offices for the four Doctors ad Clinics for the three Dentists in Town.

When people were poorer during the Depression and the roads re not opened in the winter cars were scarce and people needed serces in Ansonville as well as Iroquois Falls.

Ansonville supported a Doctor, quite often French-speaking Dentict and most of the services.

The primary schools was evenly distributed with only the cildren from Montrock having to travel to Iroquois Falls St. Anne hool where the Catholics both French and English received their hooling.

The non-Catholic children from Montrock also walked to coquois Falls Public School to get their lessons.



Historical St.Anne School built beside the Roman Catholic burch and that has since been closed. It is now an apartment builing.

Ansonville had both, Catholic and Public schools but unforenately the English Catholic children had to go Public or walk over be mile to St. Anne 's in Iroquois Falls. Most of them did not bother cause of the distance and went to Public School.

It was up to the Clergy to give them religion lessons on Sturdays.

Students of Secondary School shared accomodations at the Iroquois Falls Secondary School and still do in a very modernized building.

Ansonville Roman Catholics shared religious services at St Anne's Church and got their own parish only in 1949 when Sts. Martyrs Canadiens was founded.

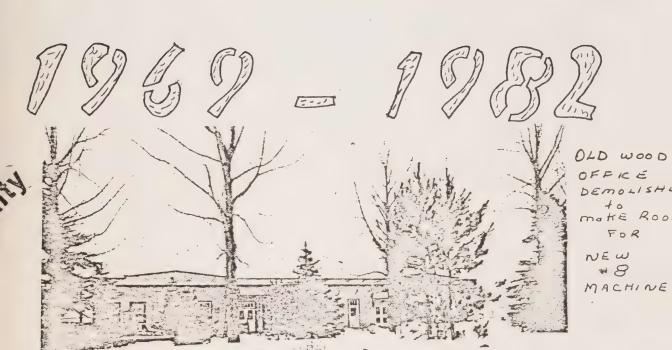


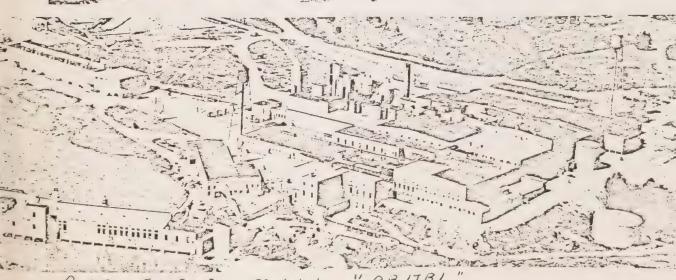
Due to uncontrollable circumstances things change and things dear to us become History. This Church was changed beyond recongnition in the late seventies.

It also changed from a Bilingual Parish to a totally French one.

Ansonville and Montrock disappeared from the map on January 1st, 1969 when after much discussions and a hearing of the pros and cons the three Towns were amalgamated to become one big Town as large in surface as Metropolitan Toronto.

TO TO BOY TO





After much discussion it was decided to mane it: IROQUOIS FALLS to save problems for the Company that provided the paychecks in most of the households.

The Town of Iroquois Falls had been planned in 1915 by an engineer, therefore, they got a planning board to put certain restrictions and regulations to building.

This Board was installed in 1969 and was composed of local people who had been invited to join through an advertisement in the local newspaper.

Main Street Merchants were encouraged to give their Stores a renovation which quite a few accomplished to the advantage of the shoppers.

Older Stores modernized and a few new business sprang up such as Radio Shack, Imperial Pizza and Pro Hardware.

Corner Stores were limited and some that were permitted to open even closed because the Owners got tired of the long hours and nobody interested had the necessary cash to keep up the store. Soaring interest rates would have taken away any profit.

Our only Drugstore, Keizer's Pharmacy, keeps reasonable prices but can not compare with City chain Stores.

It is quite far from the Local Hospital where the prescriptions are given. Senior Citizens on a limited budget, and who have to rely on Taxi service think twice before going to see the Doctor.

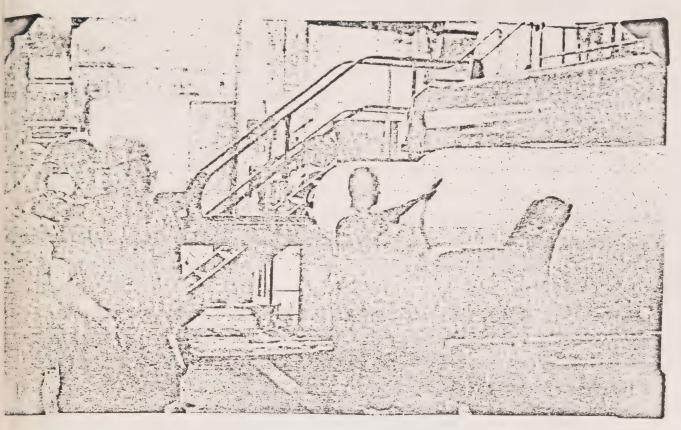
Local stores, Hardware and Clothing keep a limited stock and offer to order for you.

This is not very convenient if a major appliance breaks down and you wait two weeksfor the part. Have you ever gone without a fridge for two weeks?

It is far from pleasant and even if we are near Eskimo country we still need them.

The limit on everything such as stores makes it very hard for a housewife who would like to work out of the house when her children are grown.

Every lady in this Town who has a position seems to hold on to it until retirement comes.



Paper keeps on rolling on the Seven Machines. Men work seven days a week. Money is not scarce in Town even if the Mill has now gone down to five day operation. Men work three weeks a month. With reasonable thriftiness we still manage without too much hardships.

Children of middle income families can take part in Browny, Guide, Beaver, Cub, Scout Groups and even the Adventurer and Pathfinder Groups for those over 12 years of age.

Boys can join Hockey Clubs coached by volunteers. Girls can go to Ballet, Fun night or the busy fingers can learn to knit or crochet.

Pottery is offered to both boys and girls and given when there are enough to come for it.

The Nancy Greene Club encoutages competition in downhill skiing while some prefer to enjoy the nature while Cross-Country Skiing.

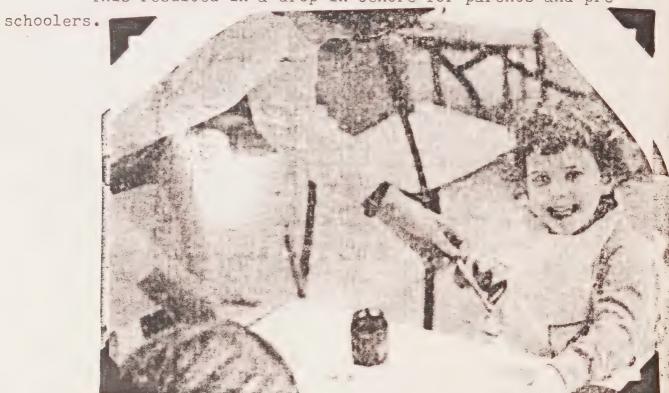
Each year, close to one hundred join the Figure Skating Club to learn the rudiments of Skating and become better Hockey Players or practice each step of a dance or jumps to complete and pass their Tests. Last winter a group of Mothers took a course biven by
Lilian Ross on # How To Enjoy Your Toddler ". They enjoyed it so
much that they tried to keep the sessions going by meeting weekly
in a private home.

After a couple of months they formed a Committee of Seven (7) to try and get a bigger local so that they could meet other Mothers.

The Lion's Club who bought the Old Public School when they built a new one storey building in another section, offered one floor of the building.

The Club donated the paint, Fathers and inmates from the Correctional Centre in Monteith did the painting and some Citizens answered the advertisement in the paper and donated toys and money.

This resulted in a drop-in Centre for parents and pre-



By paying a nominal fee of fifteen dollars (\$15.00) annually (school year) the Mother or Father can enjoy her coffee while the child does an activity planned by Lilian Ross, the co-ordinator. The child plays with peers and has an activity to bring home.

The Gentre opened in May and by the end of June had received seventy (70) different families. Since September it received sixty-one (61) already.

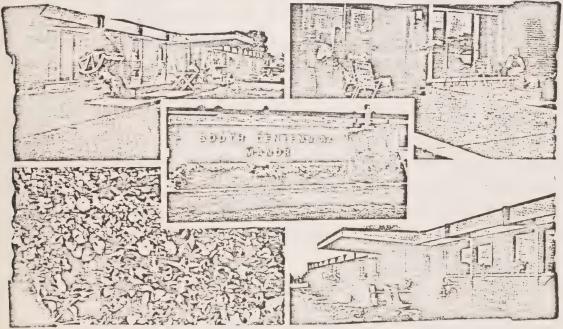
Those Ladies work hard to keep the Town alive and worth living in.

They keep busy with the Hospital Auxiliary where each one can work in her own field. Some Knit and Crochet st home for the Annual Christmas Bazaar and Tuck Wagon.

The latter is passed in the Hospital corridor to offer the Patients small articles they might need.

Another group might do Favours to put on Patient's trays for special occasions.

A few go and wash the Chronic Patient's hair and set it. Everyone donates her time and talent to make everyone's hospital stay as pleasant as possible.



The Auxiliary to South Centennial Manor help keep the Tuck Shop opened a few hours every day, work in the Craft Room, exercise the old limbs at Fun and Fitness, Play Cards and help the residents improve their game. Teas and Bazaars are organized yearly to buy small pleasant things that the regular budget can not provide.

A Rummage sale bought a new coloured television for the Adjuvent room.

Some bring the Citizen's shopping when they need something that is not available in the Tuck Shop.

Groups of different denominations go and animate the weekly Religious Services.

Birthday parties held each month for the residents are organized by the Auxiliary but animated by different groups in the Town.

The <u>Rebekkahs</u> are a fraternal organization of nintey-six (96) members. Some are life members and others have left Town but keep active in this group. They come from every walk of life religion, race and colour.

Some of their accomplishments are hosting a Birthday Party at the Manor, furnishing a complete room at the Hospital when they renovated and assisting needy families in time of fire or other needs.

They also have a wheelchair they lend out. Most of those borrowing it have given a donation but there is no charge.

In order to carry on those good deeds they need money which they make by having a Pancake Breakfast at Carnival Time, Smorgasborg Supper on the Sunday before Valentine Day from which they have to turn away people after receiving about close to four hundred (400). Some catering is also done for small groups, under fifty (50).

Lately, they held a rummage sale with the Ladies of Saint Anne's Parish.

Every group, big or small, works hard. Here is a striking example in the Ladies Auxiliary to the Legion.

They are only thirty-two (32) members who work hard and make money to hand over to the men who in turn help the Community. Their ways to make money are mostly catering and Bingo.

Those who do not work are not allowed to participate in Cribbage Tournaments held among Legion Auxiliaries.

They take a turn hosting a Birthday Party at the Manor, rticipate at the Remberence Day celebration, help the men spomsor Hockey Team, track and field activities, a Public Speaking Contest dalso pay the bus transportation to the Airport for the Air Cadets.

The Knight of Columbus Ladies Auxiliary has about fifteen (15) mbers who help the men with expenses of the hall, sponsor a Hockey am and also their own Youth Club The Squires.

Lat group also takes a Birthday Party at the Manor.

Their money-making activities are the Valentine Day Tea, he New Year's Eve Dance and Father's Day Dance. The annual picnic Highway Beach is always helped by the Ladies who will organize ome games for the children and toddlers.

At Christmas they help to pack the baskets for the needy milies which the men had sponsored in co-operation with the riners.

An international group if the <u>Beta Sigma Phi</u>. They are a ry small organization who gives out in quality what it does not we in numbers.

They meet bi-monthly and also have one monthly get together the Husbands.

The cultural portion of the group is provided by the ternational Council and they are the youngest group in Town.

Each year they give a Scholarship for a Commercial Stunt who kept the highest average in ten subjects.

The Manor receives a Birthday Party from them also.

Most of their funds come from the Christmas Boutique to ich all the members must contribute a fixed number of articles.

Week nights are kept busy by the local women who go to ercise classes, ceramics and pottery lessons and for the less eative ones sewing and knitting classes.



Beavers trained by volunteer women turn into Cubs and hopefully into Scouts and Adventures.

Rainbow and Bubbles are needed for Beaver movements. The other Boys groups are mostly led by Men or Senior Boys.



Brown, Tawny, Badge and Crafty Owls are needed for all the Brownie Packs in Town which are three (3)

The Guide Company also needs workers who can give their time.

All Churches have Women Committees and everyone can use er talent to help in any way she wishes.

The <u>Ansonites</u> of St. Marks Anglican Church, <u>Ladies of the arish</u> for St. Anne's Roman Catholic Church, <u>Dames de la Paroisse</u> or Sts. Martyrs Canadiens and <u>United Church Women</u> for the Trinity nited Church.

Those groups through Bazaara, Teas, Suppers raise money ehlp their respective Church. Most, except the United Church ave an occasional raffle. Altars are kept clean, Priests vestents are kept in order and new ones are bought when necessary.

The Historical and Horticultural Societies have both men and women as members. Some brought out the different cultures in own by organising an Ethnic Night and the other keeps our Parks, a fromt of the Manor and around the old locomotive The Shay well lanned with flowers.

The Horticultural Society also holds a Strawberry Tea and show where everyone in Town ca participate.



Jackie Brandreth of Iroquois
Falls (right) prepares to
take over Carr's Duties as
District Campaign Chairman
of the Cochrane-Temiskaming
District of the Canadian
Cancer Society. Her election
took place October 16th, 1982
in Iroquois Falls.

The Canadian Cancer Society in Town has both men and women in its group but on branch Patient Services presently has only been women.

Weight Watchers and Tops, two organizations helping both men and women shed unwanted pounds have nostly women as members.



The Primary Grade Teachers see many Mothers helping in reading and Arithmetic.

Skating days, they are at the Jus Jordan Arena tying up skates and helping one with a troublesome guard or a lost mitten. They always help and can be counted on whenever needed.

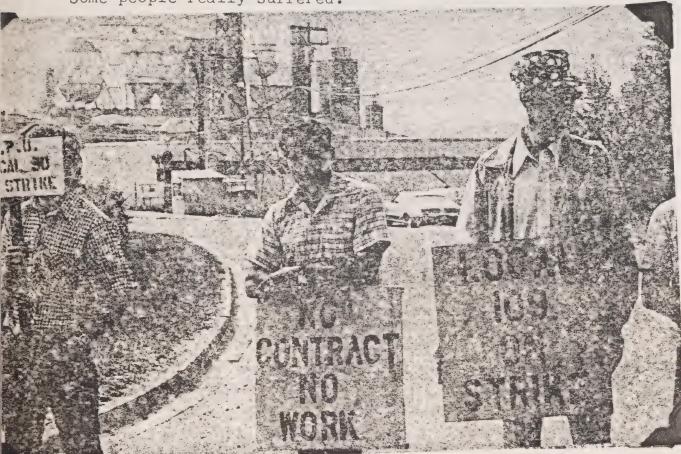
Those who do not feel as much energetic can browse in the Library or try their hand at Oil Painting with a group of Senoir Citizens one afternoon a week.

All those activities are good, but people need money to participate int them and also to pay a Baby Sitter if one is needed.

If Mother is happy she will try to make all kind of favours or her family and everybody will be more contented and a healthy ody makes a healthy mind.

Iroquois Falls had never suffered any big mishaps since the epression of 1930's but its turn came in a Strike lasting seven on the in 1975.

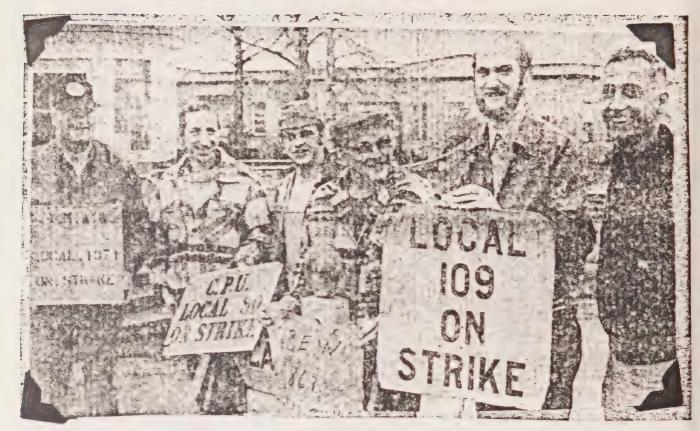
Some people really suffered.



The first two Locals to go on Strike.

Some who managed to glide through the strike without too any hardships had money in the bank, the wife could either do apply Teaching or Nursing and Grandparents were around with extra fts at Christmas.

Unions stand together



After a while two other locals in the Abitibi mill joined the two first ones and that gave the Union more power.

Labour Day was more celebrated that year and quite a few people turned out for a Parade. Children, still not suffering because of the warm weather and people's spirit were not down yet.

Some men went to work out of Town at Construction work. This was not too hard until the cold weather started but who likes to work outside when the weather was windy and the temparture dropped to thirty below.

The wives of those who worked far from home stayed home with the family while the Husband earned elsewhere. Loneliness was a well known feeling and some children who usually succeeded well in school became under achievers.

The saddest part of it all is thatsome of the Companies hiring our men folded and some lost a lot of hard-earned money.

The listener
Mayor Aurele Gervais

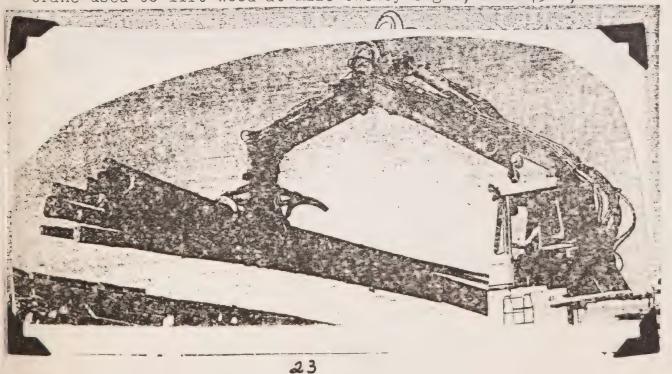
Pensive Mayor, Mr. Aurele drvais, listens to the conerned men before sending a tter to Hon. Bill Davis, demier of Ontario.



It was after the intervention of the Local Council and sgnatures of Senior Citizens that Premier Davis asked Abitibi d the Unions to re-open the negotiations.

Familiar signs show up again in Town and we hear of the ll working and improving.

Crane used to lift wood at mile twenty-eight, Cost \$300,000.00



Things shaped up again in Town and new buildings spring up on empty lots and replace older ones.

Businesses seem to catch up and people do not seem to take up the troubles as everyday things and life continues.

It takes a large BANG to wake up a whole Town but that one came to Iroquois Falls in the spring of 1982.

Negotiations are stopped and the strike vote was to be taken that night.

During the day you could see signs inviting the Ladies and children to parade in fromt of the Local 90 Hall where the vote was to be held.



Above wives and children parade in front of Local 90 Hall to try and influence the men to vote against a strike.

The regional representative was in Town. He tried to talk to the Wives but he had to do the listening.

Mr. Bob Casson, the regional representative, and a local executive member invited the women inside to listen to the apparently unfair offers from the Company.

No way would those Women be urged into the hall. They did not want to keep quiet.

Torrential rain drove them into their parked automobiles wait for their Husbands.

This demonstration with all the Wives, Children, Babies and some very pregnant Mothers made the news in our Local paper, and has helped to prevent another strike which, according to rumors, ould have lasted a year.

The deep depression of the THIRTIES is not here yet but we somen keep on our toes because we have often heard our Mothers talking about thriftness. Everything we can learn to do for ourselves talkenjoying the company of others is profitable to us.

Everything seems pleasant in Iroquois Falls, so why should the Women worry?

A dark cloud follows the fluffy one we are now enjoying.

Abitibi, our only provider, beside the schools is instal
lng a Brand New Paper Machine to replace some of the older machines

tat were installed when the mill was built.

New machine at mill

This super Machine, imported from Finland, brought extra rk during the construction but will take away about one hundred d thirty-one positions.

What Will they get WORK is Detour Their 21 uture? mine?

Flown future sure but 131 jobs 99

Who will live in this Town?

The management is getting ready. For the last two years very position was filled only temporarily and no permanent contact were signed.

Some of the young men did not take any chances but found ositions with Texas Gulf in Timmins.

Those who replaced them at the Mill will have to find a milar solution. But where?

Beside the temporary contracts Abitibi offered a very



Latest group of early retires. Most are only sixty years dinstead of the regular sixty-five when they are obliged to tire.

Every month you can see a list of ten or twelve men who took early retirement with the idea of enjoying health while they still have it and rest from carrying a lunch pail for forty years or more.

Those young enough and with over twenty years experience in the Mill are being trained to work on the new Modern Paper Machine.

A lot of those young people are married and have their own Home in Town. Will a section of our well-planned Town become a vagrant's paradise and fire trap?

Through our Minister of Natural Resources, Hon. Allan Pope, we have obtained BIOSHELL and a TREE PLANTING NURSERY.

Most of them are men. Women have practically no place to find employment in Town because of the previously stated reason.

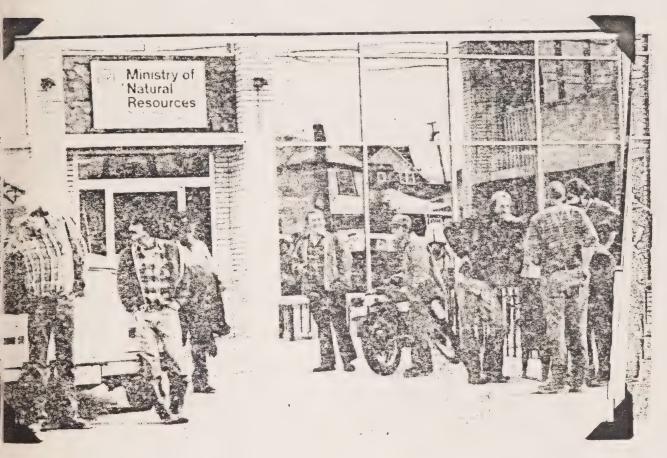
Abitibi does some tree planting every spring but that gives jobs to very few of our Students.

Sign seen on Abitibi cutting limits when you go on the Pulp and Paper Path during the summer months of July and August.



Pulp and Paper Path, a tourists attraction which runs during July and August hires a few local Guides but the main person getting the Highest Salary is usually a Forestry from down South.

Prospectors go to the Natural Resources Office on Wilson enue in Timmins to register their claims. Re- photo below.



Every cloud has a Silver lining. Will we have ours or will oquois Falls simply disappear?

Luckily some GOLD, a lot, was discovered at DETOUR LAKE. For a while, Immigration Minister Lloyd Axworthy said in evember of 1980 that we would have to get more immigrants to fill jobs vacated by aging skilled workers.

Why should we do so when, according to the Northern Times, December of 1980 the city of Kapuskasing was training people to place the aging workers through the Community Industrial Training mmittee.

Canada Manpower provides funds for on the job training.

Our families are proud and the men want to work. Perhaps

I. T. C. could be established here and nobody is too old to

arn a new Trade when the livelihood of its family is at stake.

Under the heading IROQUOIS FALLS NEEDS DETOUR ROAD Mrs. P. LaRose wrote the following letter.

Dear Editor:

In my opinion it's about time all Citizen's of Itoquois Falls try to convince Mr. Snow that we need the Detour Lake Mine Road into Iroquois Falls.

First of all, we are a ONE INDUSTRY TOWN leaving us with nothing to fall back on for security. This reality is, not a dream. We should wake up and try to let it be known how we feel. Once all the updating has been completed at the Iroquois Falls Mill they will do away with 131 Jobs.

All these men out of work and the largest percentage are married with children to Educate.

Even our Young Students that are of working age are not receiving enough work to put themselves through College or University. As for the Young Women forget it there is just isn't any work to be found.

This could all change with the Detour Mine Road coming into Iroquois Falls. Our men, whose jobs will be terminated would have a future to look forward too. They could apply for a position with Detour Mines. Our young men (Students) could also benifit this.

There would also be the possibility of new Families moving in Town. If twenty (20) families or more moved to Iroquois Falls it would be great. We could use the extra money and who knows, maybe more would follow. This would give our merchants extra business which I am sure wouldn't be refused.

In fact, I think our merchants should be trying themselves to increase their profit by pushing to obtain this Detour Road.

In Town, they would be creating a few extra jobs for our Young People. As many are aware, our Town can't seem to manage to support a Theatre, Bowling Alley, Drop-in Centre, Teen Dances, etc. With no work and no Entertainment, our young are left with getting into mischief, walking the streets or sitting in the Arcade.

Not much forsight is needed to see that we greatly need tra money to be brought into our Community, and Detour Road could to vide us with that.

Detour Lake Mine is one of the largest Gold Mines to be fund. I am sure many people don't realize just how many jobs are sing created. The first stage of the mine is nearing completion. The once in full operation, there will be a number of opportunities available, such as Miners, Mechanics, Clerks, Secretaries, trses, Electricians, etc., which will be available to any interested parties.

As all the above is food for thought, there is one more ason which is very important to why this road is of such great portance. It's actually very sad and degrading to see how little eryone cares about our men that work in the Woods Department. matter what came up, a strike, lay-off or if this road would nefit our men in any way. But no way. They are pushed aside and ver given a second thought. Were any of them approached and asked this road might help, them in some way? If anyone was, please t it be known.

These men happen to be the Key to our Paper Industry.

By start the process and the Mill completes it.

You may wonder why I mention the above. Simple again.

tour Road would be a great benefit to our Woods Workers. There

about forty (40) men who have to put \$10,000.00 vehicles on

ugh gravel roads to travel to their place of work which ruins a

cr, Trucks in no time flat. It's knowning these fats the kind of

ads they travel on.

If the problem of this road could be solved it would beneour Wood Workers considerably.

From speaking with some of our Grade 12 and 13 Students young people don't wish to come back to work and raise a Family Iroquois Falls. They say there just isn't any future to look ward to.

Also in regards to Mayor Fortier of Cochrane opposing oquois Falls getting the Detour Road in here. Just why is he against us getting some improvements in our Town?

At one time communities helped each other, Maybe the saying "Help Thy Neighbour" no longer applies in today's society.

Truly, we are worried if Abitibi decides to close their doors. Where would we be? We are perfect candidates for a GHOST TOWN. Cochrae need not worry. They have a variety of Industries. You couldn't ask for a better selection of Doctors, Entertainment, Theatre, etc. for all ages. Cochrane residents why not help us instead of being against us? We would so much appreciate that.

Yours truly,
Mrs. P. LaRose

Recently, our local newspaper, The Enterprise published this letter from one of our Citizens saying that Detour Road Mine is thinking of Iroquois Falls as a source for its manpower.

Dear Editor,

Last Tuesday I attended small business seminar sponsored by the Federal Business Development Bank in Cochrane, where our local businesses outnumbered Cochrane businesses by three to one.

Iroquois Falls is entitled to at least three hundred of the new jobs the Detour Mine project will create, and the days of Iroquois Falls being considered a one-industry town are now numbered.

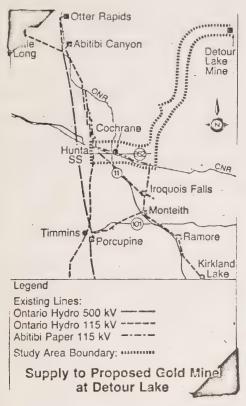
The usefulness of our Chamber of Commerce can be questioned, and I would suggest that its executive take the required responsibility of disbanding the organization.

Signed, Jack Abramson The Enterprise published this letter on November 3rd, 1982.

We, the wives would like to see this realized and has given proof by writing to the Local Paper.

Our heads must remain high, we are not afraid of hard work and do the best we can in each accomplishment.

The wife would have to manage on a smaller salary for a bw years but she would have something to look forward to.



How far is Detour Lake?
Map published by Ontario
Hydro gives approximate
distance from Iroquois
Falls.

It is one hundred and thirty-five (135) kilometers from loquois Falls. This seems quite a distance but Abitibi already as a bush road which it keeps in good condition to haul Wood from Lumber Camp since the waterway has been stopped because of ti-pollution laws.

The railroad also has been taken out and the Company, itibi, has only that one road to look after.

After eliminating the idea of Contractors from Quebec cause of the unfair law that prevents the Ontario man to go and ork in Quebec without a special permission our Local Politicians the our member in the Provincial Government are trying to prove cat Abitibi's road would be the most convenient.

It is already built and would save a lot of trail blazing cause it has been proven that the land can take the loaded Trucks thout much damage.

Ir Detour Laketakes that advantage they might even pave the road with their money saved.

Wouldn't that be to the benefit of our men who travel to the Lumber Camps with their own Cars. Not as many broken lights caused by flying stones.

Pierre Lake could be developed as a Tourist spot and more people could enjoy the scenery in our lovely northern country.

Abitibi's Mill Manager is trying all he can to keep the people in this part of the Province. He proved by meeting with Mr. Ken Hill the project Manager at the Mine.

The vice-president of Campbell, developers at Detour Lake said in a letter to Hon. Allan Pope:

"It will be to our advantage to attract as many of these people as we can because of their strong northern roots and I can assure you that job opportunities and training arrangements will be available to all those who are interested."

Labour Minister, Dr. Robert Elgie, said about Abitibi workers:

"My Ministry will <u>make certain</u> no harm occurs to Abitibi workers because of the situation created by the monernization."

He added that there was a manpower adjustment committee to assist workers who want to change employment field and that upgrading and retraining were available.

Are all those people true to their word or is it just a tall tale to keep us dormant and not worry about our future.

We sincerely believe your words and we wonder if many of our men will accept the offer and get upgraded and retrained.

Recently our Local Newspaper, The Enterprise, published this letter to the Editor. (see page 28)

The publication led to interviews on both French and English Radio stations and telephone calls brought along this

project.

ALAN POPE
....more roads coming

SULLARY

On November 20th, 1982, we held our Workshop on Concerned omen's Group. Approximately twenty-five (25) women showed up to tay and chat for a while.

AWomen representative from the Women's Decade Council from hunder Bay, brought with her a film, which was all about a Single ndustry Town, very much similar to our own Town, which was viewed our or five times during the day to different groups of concerned omen who came to our Workshop. Also about fifteen (15) children) ttended, who were accompanied by their Mother's, were kept occuied by the able Babysitters hired by Mrs. Larose. The girls played uietly with them and they made small Crafts. The small number is ue to two Christmas Teas and Bazaars being held that day.

Our Guests, the women who showed up, expressed the need for a ay Care Centre. It would be appreciated by Mothers with no close riends or Family in Town with whom she could leave her Children hile she would go for an appointment.

Concerned Women's
Group

Legion Hall Sat., Nov. 20
10 a.m. to 5 p.m.

Present:
- Women's Decade Council from Thunder Bay
- Film shown
- Refreshments served all day
- Babysitting service available

For the future of our women and children in a single industry town.

We urge you all to attend! Bring a friend!

Mother on limited income could earn a few hours of freedom each week by doing her share of babysitting for the Centre.

Parents with only one child could give their offspring a chance to socalize with his peers for a minimal fee. The centre could provide employment for a few women. Quite a few wives spend the afternoons watching SOAPS and nibling which they would not do if they had a DROP-IN CENTRE for Women.

There is one for the French Senior Ladies where they go and do Handicrafts, but why can't we have one for all Ladies regardless of Language or Age.

The newly arrived Ladies in Town could meet new friends faster and the moving blues would not last as long. The DROP-IN CENTRE could also offer courses for the ladies.

What would the people of Iroquois Falls do in a crisis? We could suffer the same mishap as Mississauga but who would know what to do?

The tanks full of Chemicals coming to the mill, spell the need for such a CENTRE where people could drop in, pick up literature and learn what to do in such a case.

Honourable Ray Chenier Liberal M.P. helped the Children's Aid Society sponsor a Resource Centre for Women and Adolescents by providing them with \$39,000.00. This Centre will provide work for one full year for three Iroquois Falls Women who have already been chosen. They will have to offer services for Women and Adolescents through workshops on various subjects and organize special events in both official languages.

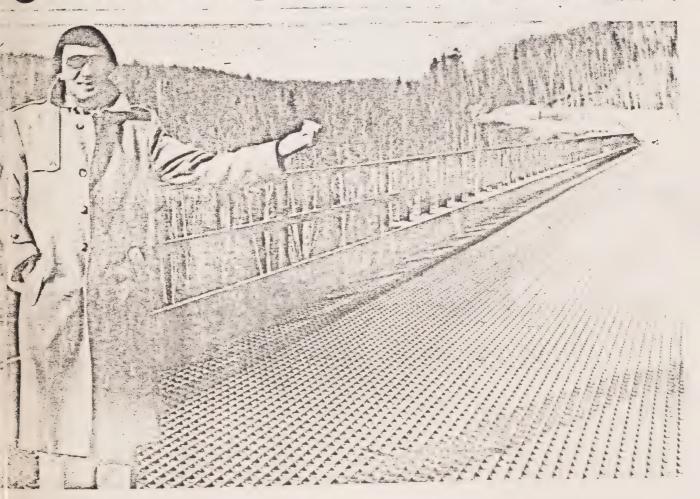
How many of us can glide through life without ever having any problems? The answer is a clearly spoken, none. Can we face those problems and solve them without outside help? If not we need a Social Worker who would know the stress factor in Town and help whoever needs it.

We can now get help from Timmins but they are not fully aware of the situation in Iroquois Falls and loose a lot of time screening each case which would be faster if the Social Worker lived in Town and knew some of the situations. Even if each case must be taken individually a lot of the symptoms are the same and it will be easier to help each person.

On November 25th, 1982 a bit of sun shown through the dark loud. Due to the persistent work of the Town Council, the letters of Black-River Matheson and Timmins hoping that Iroquois Falls would get the road certainly helped. It must not stop there.

Re: DETOUR LAKE OR BUST (photo below)

bitibi-Price Inc. logging road ignated as public industrial roa



Detour Lake or bust Iroquois Falls council received some good news Friday when Cochrane South MPP and Minister of Natural Resources Alan Pope announced that an agreement between Abitibi-Price and the provincial government designates the company's logging road as a public industrial road. Councillor Robert Papineau, a prime mover of efforts to get the agreement, was delighted with the announcement and is shown on the trestle "hitchhiking" his way to the Detour Lake gold mine project.

Our men layed-off because of the New Machine must find employment at the mine. They are intelligent and can be retrained. They proved so often before. What can Manpower do for them? Manpower has been contacted about retraining and it is willing to provide it if Campbell Red Lake Mines Limited ask for it. Will they take our men or import some from the south and cause another crop of discouraged families and unhappy children.

Sadness as well as joy is easily spread so please DETOUR call for our men and young men. They can be trained.

Iroquois Falls desperately needs a Second Industry, How about building a Smelter? Texas Gulf is sending some of its Ore out of Town therefore how about using Iroquois Falls as base. Detour Lake will also need a smelter. Ours could serve both places and save the Companies money and transportation.

Clipping from THE DAILY PRESS (Timmins) on Nov. 15th,1982. (see clipping below)

Town airport an attraction for industry

IROQUOIS FALLS (Staff) — The idea of scheduled air service for Iroquois Falls might be premature but it will come, says Arnold Boyd of Highway 11, south of Porquis.

Highway 11, south of Porquis.
He was one of 70 persons attending the Iroquois Falls and District Chamber of Commerce annual fund-raising banquet in the Lions Den Saturday.

The retired Abitibi-Price Inc. employee said he was quite satisfied with the remarks made by guest speaker Voyageur Airways Ltd., president Max Shapiro.

Shapiro said that while Iroquois Falls could not support regular air service, his company would provide charter service from the Porquis Airport, located adjacent to Highway 11. The service would start sometime early in the new year.

Boyd said Shapiro made a good speech and a good decision.

Mayor Lawrence Cutten said the attraction of air service to Iroquois Falls is just one of the ways town council is trying to attract more industry.

Coun. Rene Flageole took the credit for mentioning the subject of air service to council. He said the charter service could be used for sports trips and business.

"We're trying to drum up air service. Right now the airport is not utilized at all."





Write done by our Jewel of an Editor-Reporter from our Local aper the Enterprise of December 1st, 1982, Pam Sutheran assisted most of the afternoon and met with the Ladies and Guests. (clipping below)

Concerned women meet

Twenty-five Iroquois Falls women attended the Concerned Women's Group meeting held all day Saturday, November 20

at the Legion Hall.

The group and the meeting were organized by Pauline LaRose, along with other bush workers' wives, as a result of her concern for the effects on the workforce of the modernization program at the Iroquois Falls Abitibi-Price Inc. mill.

The \$118 million modernization project is expected to eliminate about 131 jobs with the start-up date of the new paper machine coinciding with the creation of full-time jobs at the Detour Lake Gold mine, 135 kilometres northeast of Iroquois Falls. Detour Lake is the \$143.2 million gold mine development by Campbell Red Lake Mines Ltd. and its parent company, Dome Mines Ltd. and Amoco Canada Petroleum Co.

To encourage Abitibi to modernize the mill, the provincial Progressive Conservative Government provided \$15 million and the federal government \$7.5 million which has received much criticism.

LaRose said that through a letter to the editor of The Enterprise she expressed her concern for the jobs that will be lost at the mill because of the modernization as well as criticized the Town of Cochrane for wanting all the benefits from the Detour Lake project.

She will be voicing her concerns and making recommendations to the Royal Commission on the Northern Environment in the form of a

brief

LaRose says that the brief will be from the women's viewpoint and will stress the need for the establishment of secondary industry in this area as well as for day care which would more readily enable women to enter the workforce.

She remarks that a training program, for those men who will lose their jobs at Abitibi-Price because of the new paper achine, should have started

They have said there will be jobs available but who will they hire first — those with mining experience or those without? she asks.

LaRose says that because Iroquois Falls is a one-industry community it is vital for its survival that secondary industry be established here.

She continues to say that there is room for expansion in Iroquois Falls and that the dollar drain to the larger centres could be stopped with expansion of business.

The quality of everything is dropping. It seems we are sliding back with the number of businesses, and recreation facilities, she said. She added that something must be developed to keep the young people from leaving the area.

If any women are interested in what LaRose is doing she asks them to call her at 258-3749.

Also present at the meeting was Lisa Bengtsson from the Women and Economic Development Committee of the Decade Council of Thunder Bay.

Attending as a resource person for the local Concerned Women's Group, Bengtsson discussed women's issues in a one-industry town and explained what the Decade Council and the Women and Economic Development Committee have been doing since it was formed in 1977.

She said that the group was formed to look at women's role in economic development and to work for the inclusion of women in economic development decisions.

She pointed out that in 1977 in northwestern Ontario no women spoke to the Royal Commission on the Northern Environment and that is why the group of volunteers formed the committee. It spoke on women's experience in single industry towns.

The volunteer group received funds to print its research paper, Women's Work – the Northwestern Ontario Case The brief took three years complete.

recommendations for the improvement of women's status in the labor force and lobbied for a Women's Bureau in the North as well as a women's employment centre in Thunder Bay

Bengtsson outlined the work of women's groups across Canada, what's happening in other areas and the issues of other communities as well as explained the importance of why women should speak up and encouraged them to become involved in economic development.

The women attending the meeting also viewed the National Film Board presentation, No Life for a Woman. The film was about Mackenzie, B.C. and what it is like for the women living in the one industry town.

Voyageurs Airways Limited is ready to provide service from Porquis Airport which is about ten miles from Iroquois Falls. This would be advantageous for the people from the South to come and establish and manufacture in the North to give us jobs.

Re: Photo below shows Local Chamber of Commerce dinner, that

charter air service begins in early 1983 at Porquis



VOYAGEUR Airways Ltd., president Max Shapiro of North Bay, left, talks with Iroquois Falls and District Chamber of Commerce president ichard Girard and Iroquois Falls toor Lawrence Cutten at the ber's annual banquet. Shaoiro

was the guest speaker at the banquet held in the Lions Den. Shapiro told the 70 diners his company will be ready to provide charter air service to Iroquois Falls in early 1983. (Daily Press Photo

Mr. Shapiro also stated in our local Paper that he would be willing to provide passenger service when the need for it would be felt. Right now he does not feel that he would get enough business. With Detour Lake will we get enough demand to be provided with such a service?

After several attempts we got a call from Detour Lake and found out that it is a non-unionized Company as Texas Gulf.

Ninty-one (91) men are already working and they have a traiing program established to give the opportunity to any young man
o get ahead as far as he wants too. They want men who will stay
n because their training program is very costly. When applying
hrough their office in Timmins the young men must have his School
ecords and past experience record if he has any. If he already has
nough experience in the trade he might not need an apprenticeship.

At certain times during the new year they will take in labouers, tradesmen and equipment operators. Miners will have to wait in he vicinity of four years or less by that time our men in Iroquois alls has a chance to be trained. Students could go to a Mining ollege. This would give them time to chose the proper training rogram.

Our THANK YOU'S - MERCI - to special persons for their help n providing pictures and access to certain literatures that helped s to present this Submission. The Iroquois Falls Library - The roquois Falls Secondary High School - Mrs. Rona Kydd and The Jus ordon Sports Complex and Arena, for literature gathered by Students ho worked on projects to collect the History of Iroquois Falls - iss Marie-Therese Fluery, Cobalt information - Mr. Dan O'Mara Jr.- or the picture of our First Reeve, Lisa Bengtsson from Thunder Bay ho enlighted her views of Concerned Women's Group.

In a telephone interview with Mr. Mike Amsdan of Kydd Creek ines on Dec. 6th, 1982, he said that the Smelter at Kydd Creek ould not handle all the work. They are trucking the Ore to Quebec. hy not have a Smelter on the outskirts of Iroquois Falls and keep he work for our Ontario workers, which you know they are in bad need f work, besides why send our work to Quebec, they don't do it for us. Ir work and money should be kept in Ontario. My recommodiations are scond Industry eg. SMELTER, FACTORY outlet COUGAR.

I Pauline LaRose along with my writer Mrs. Mongrain and my ecretary and treasurer Mrs. Mercier do hope our Submission will elp our Iroquois Falls residents in letting them know there are ome Concerned Women interested in making our Town of Iroquois Falls place where no one would think of leaving because there would be opportunities for eveyone so they could survive here in Iroquois alls and not see our Town fade away and for it not to be a GHOST OWN.

COBALT

THE TOWN WITH A SILVER LINING



Until 1903, Cobalt was practically non-existent because the settlers travelled to farm land which they could reach only by water.

The railroad "Ontario Northland Railway", was pushing its way through northern Ontario so that farmers could get to the rich soil of the Great Clay Belt and also the lumber of our vast forests.

Mines were discovered by railway workers such as J. H. McKinley, E. F. Darragh and Fred LaRose who formed a partnership with the McMartin brothers to found the LaRose Mine.



This the famous Fred
LaRose, a railroad
blacksmith who, according to the Ledgend
threw his hammer at a
pestering fox and found
that the two shining
spots were really Silver
and not the eyes of the
animal.

In October of 1903, Dr. W. G. Miller, the provincial Geologist reported the area as one of the richest Silver regions ever discovered.

In 1904, Miller called the settlement, Cobalt, because of the somewhat rare mineral's presence in the Silver ore.



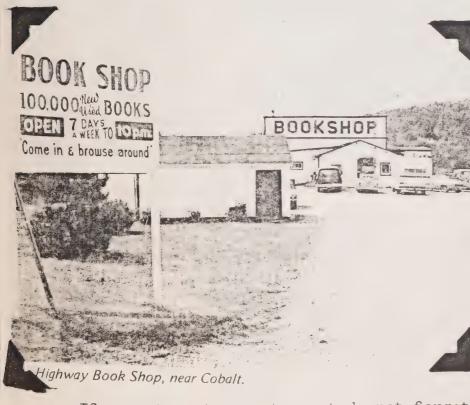
The 1914 War took away a lot of manpower but business resumed after the War ended.

By 1932, only one Silver Mine was working.

New uses for Cobalt, the mineral, during the Second World War brought an upsurge but that also went down when the United States discovered local sources.

Now, from the one hundred and four (104) mines only three (3) survive. The Agnico-Eagle Mines Limited, the Teck Corportion and the Canadaka Mines are the only ones left in the area.

After a stop at the Highway Bookshop to brouse among their thousands of books you can take Highway 11B and go through the tortuous streets of the town.



One of the largest bookstores
north of Toronto.
You can buy used
as well an new
books.

If you stop at a restaurant do not forget your emergency brake or you might find your vehicle in one of the abandoned stores of Lang Street.

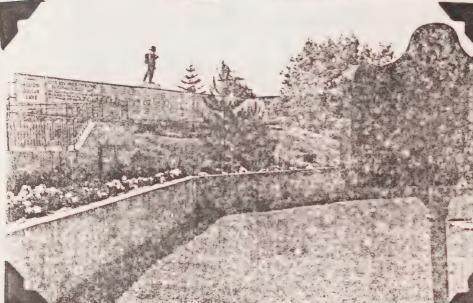
You will be surprised in seeing a mineshaft sticking out of a Grocery store.

The mineshaft is not behind the store but sticking out of the store. Before modern refrigeration the store owner used the shaft for cold storage. What a way to save energy.

Statues and plaques honour the Pioneers and you can read the names of the one hundred and four (104) mines that were ope-

rated on 1908.





Plaque in foreground Honours
Dr. W. H. Drummond. In the
same park you
will see another
plaque for the
Cobalt Silver
Camp and also the
World's largest
diamond drill core

In the background is the statue of a miner over a large billboard giving the names of all the mines of 1908.

By 1908, one hundred and four(104) mines were operating in the area.

People lived in tents, log cabins and whatever shelter they could erect against the elements of our northern climate, especially the winter.

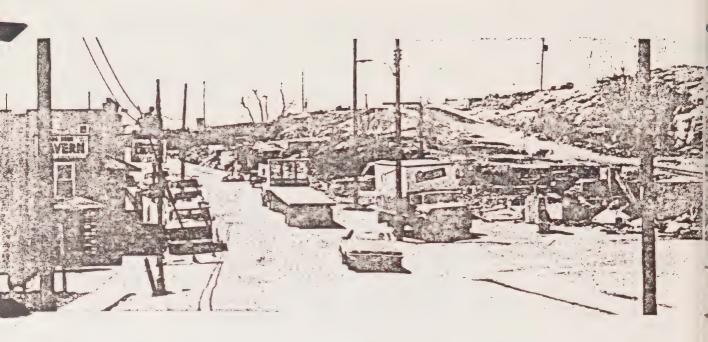
By 1911, the community of 10,000 people was built at the present site of the Town of Cobalt.



Lang Street
in 1911 when
the population
was at its
highest.

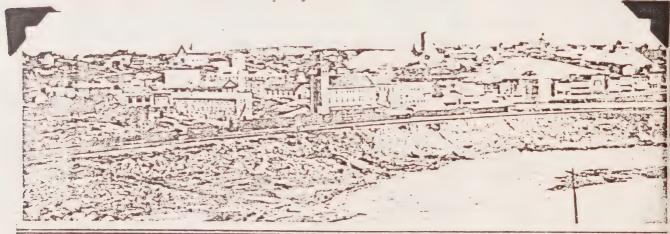
Due to the mountainous surface people were building wherever they found a surface flat enough and large enough to hold a house. This resulted in some lots being only twenty-five feet wide and the houses were very close tobether.

The closeness of the building made it very hard to control fires. The one in 1906 destroyed sixty-five (65) homes while another in 1909 took one hundred buildings including most of the business section.

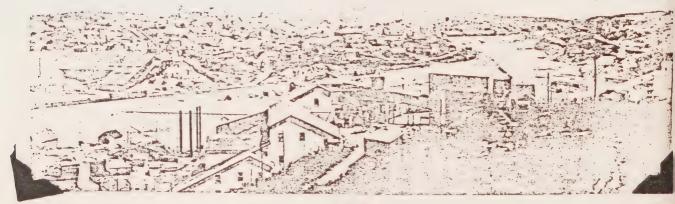


About half of the town, as shown in the above picture, burned down and some of the neighbouring vicinities were just waiting for the notice to evacuate.

Would this have happened if all the people living in this Cobalt had a decent employment?



CORALT IN 1916—CENTRAL PORTION.



Approximately thirty (30) miles from Cobalt is the Sherman Mine which employs some men but it does not take all and due to the high unemployment rate Cobalt's population is down to two thousand two hundred (2,200) in the 1950's.

Sherman even closed for eleven (11) weeks last summer. Since quite a few people move out, stores close and people have to get out of town to shop. They either use the Mail Order Catalogues or venture out to New Liskeard, Kirkland Lake or North Bay.

The families have to follow the provider or stay behind while the father is gone out west for months at a time working for the pipeline or at anything he can find.

Sometimes they are not acclimatized to that kind of work and do irrepairable damage to their back and have to retire at forty (40) as invalids.

Real Estate is not good because of the unemployment so the mother stays behind to keep the house paid for by savings acquired during better times.

The school system does its best for the children that are left but the pupils feel the tension at home and have a hard time coping with the situation they have not asked for and have a hard time to understand.

The separate school is down to four classrooms when it had eight and the Teachers are always wondering if the school will be kept opened another year or if the children will be bussed to Haileybury.

Beside the two previously mentioned fires Cobalt suffered a tremendous loss in 1977 which put her in a disaster area.

On Victoria Day weekend a very high gusting wind picked up flames started by a discarded lighted cigarette in the Rowden at Forty-Five Lang Street.

Some out of work men had been given the right to what wood they could salvage in demolishing the abandoned building. One of them dropped a cigarette in a pile of dry lumber and that is where the multi-million dollar Inferno got its start.

Some elderly people have lived in Cobalt all their life and like the Town. They will rebuild and try once more at picking up the pieces so that Mt. Miller's plaque will not be in a Ghost Town.



Plaque to Honour Mr. Miller in the Town Park within view of the Million Dollar Lake.

This monument was erected in Cobalt's central square to honour Dr. W. G. Miller, who gave the town its name. In the background, the Million Doile ke can be seen.

Will it close completely now that Highway 11 bypasses it, or will Cobalt become a dormitory Town?

KIRKLAND
LAKETHE GOLDEN
YEARS

Kirkland Lake

Population from 24,000 in 1939 to 14,500 A little History of Kirkland Lake:

One of the major Gold producing Centres of the Wetern

Hemisphere has closed down and according to all of the economics,

the Community should be preparing to adapt itself to the half life

of a Ghost Town.

April 20th, 1911: C. A. McKane staked the solitiary claim which was to become the nucleus of the Kirkland Lake Gold Mine.

A. Maracle staked the claim which was to be one of the three on which the Kirkland Lake Townsite Mine would be established.

A Billion in Gold

Following is the record of the principal producers of the Kirkland Lake samp proper. A great many other operations produced lesser values. Only, one mine, the <u>Macassa</u>, remains in operation in this area which in half a Century produced a Billion Dollar in Gold.

All the successful Kirkland Lake Mines were established on a single fault - a strike zone that follows Government Road, the Main Street, through Town. The head frames that lined this Street could leave no doubt as to the basic economy on which the Community was founded.

Kirkland Lake's Golden Mile could not have a more suitable designation but not many people entering the Town from the West realize that they are travelling on a Road that is Literally Paved with Gold.

	1st. Prod.	Year Closed	Prod. Value
ake Shore	1918	1968	266 321 188
irkland Lake Minerals	1919	1960	39 124 929
acassa	1933		65 816 988
ylvanite	1927	1961	56 752 129
eck-Huges	1917	1968	105 320 778
oburn	1913	1952	17 738 506
right-Hartgreaves	1913	1965	157 308 926

The principal man of this concept was Harry Cecil an Englishan with world-wide mining experience and with an access to large
ums of development capital, who was then living in Haileybury. After
xaming samples of Gold Ore containing tellurides which had come from
the Tough-Oakes property he decided that the possiblity of widespread
ccurrencec of high-grade ore were sufficiently good to justify
mmediate action. He quickly secured options to a great part of the
amp and took a ship to London to contact his financial associates.

Four experts arrived in Kirkland Lake to examine and report n Cecil's optioned properties. They went back to England aboard The mpress of Ireland with some very valuable diamond-drill cores in their possessions.

iver off Rather Point and sank with a loss of 1,000 lives. Among he victims were the four Geologists. The drill core and their reorts were lost and with them the possibility of what might have een one of the Biggest Mining Amalgamation of all time.

The Mine Shafts shown in this picture give us the History of Kirkland Lake and its people. Their life was centered around the mines and whatawaits them now that more than half are closed.

KIRKLAND LAKE — THE GOLDEN YEARS

by L. CARSON BROWN



What keeps Kirkland Lake alive?

Its situation on a Main Highway towards Quebec and Tourism attracts people. The old Swastika Mine has been turned into an interesting attraction. One adit has been lept open for tours.

The 6.3 million dollar District Hospital brings people to get medical attention and also visits to the sick relatives. This has an effect on the downtown business also.

The six million dollar branch of the Northern College of
Applied Arts and Technology brings in people to staff the building
and also extra money to people who give room and board to the Students

Those are the main reasons why the population of Kirkland Lake has not drifted to practically nothing with the closing of the Mines.

RECOMMENDATIONS

We recommend:

- 1) That: The Town of Iroquois Falls receive a smelter for the refining of copper for the Detour Lake Gold Mine and any other mines that may open in the area in the future.
- 2) That: The Government of Ontario support and encourage a goods manufacturing factory to be set up in our town to create secondary industry and local employment.
- 3) That: Local employment and training be considered the priority when development takes place.
- 4) That: The government of Ontario and the companies concerned instigate appropriate training programs in the communities of the area, both informing the people of the programs, training and educational requirements; in order that local people may be trained, employed and therefore receive some of the very benefits of the development.
- 5) That: Local people have more input into the actual decisions that are made on any development that takes place in their area; and that government and industry come under The Environmental Assessment Act with no exemptions, as was the case in the Detour Lake Road.



1 N d d

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Report on

STUDENTS' PERCEPTIONS ON
NORTH WESTERN ONTARIO

to

ROYAL COMMISSION ON THE

NORTHERN ENVIRONMENT

December 15, 1982

by

SIDNEY FELS
BRIAN CORBISHLEY

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Summary

Overall, there are three main needs of North Western
Ontario's students. The first is more part-time employment.
The need for this is obvious. Students would be able to
finance their post-secondary education and also their own
living expenses. Secondly, the small communities need more
recreactional facilities.

The third most important need is for information access systems. The students in North Western Ontario seem to have closed minds about the world around them. Because of this narrow-mindedness, they are not obtaining the full extent of what the world has to offer. Their sheltered existence makes them indifferent and unknowing about the world. It is unfortunate that this situation is present in North Western Ontario, however, it can be changed. Some means of correcting it could be to introduce computer systems, satellite television and government and/or university-sponsored information seminars.

If these three main needs are met, North Western

Ontario will become a more hospitable place for students to

live.

Introduction

The future of North Western Ontario lies in our students. It is through them that North Western Ontario will grow or shrink. Their lives are influenced by their education and environment. If students are not pleased with their present situation they will leave, letting North Western Ontario deteriorate. Also, if they are ignorant in world affairs, their decisions will not be valid in the long term. It is because of this that our report is important to North Western Ontario.

Unemployment is the main issue students are worried about. This is similar to the world situation. The effect this could and does have on North Western Ontario is reflected in the number of students wishing to go where there is greater employment. This migration affects the growth of North Western Ontario.

The most startling observation was related to the environment. It was apparent that students did not mind the cold, harsh natural environment associated with North Western Ontario. Our studies found that the students adapted to the cold and did not react to severe temperatures. This factor presents a dilemma. If the rough environment is not a deciding factor, what is?

This report clearly illustrates the students' views.

Through it, suggested improvements are made which should be followed to insure the growth and prosperity of North

Western Ontario. After all, youth is our future.

Methodology

Generally, two approaches were taken: questionaires and group interviews. Each of these methods had objectives and served as an important indicator for trends and information about students.

The ideas behind the questionaires were to give students a confidential and comprehensive means to relate to us their perceptions. It also enabled us to acquire statistical information supporting the opinions of the students in the interviews.

Each question had a projected objective. In some, the objective is obvious such as sex, age, etc. Questions less obvious are as follows:

2. How long have you lived in Northern Ontario?

This question served to inform us of the person's ability to compare cities. For example if a person had recently moved from Vancouver to Red Lake he/she would view the area from a different perspective than someone who had lived in Red Lake their entire life.

4. Do you know what job or occupation you intend to follow as a career?

This question attempted to discover the general areas of interest of students in North Western Ontario and whether students on the average were aware of the vast opportunities

open to them elsewhere in the country.

7. Look for a job or Continue education?

The two groups were divided at this point because we felt that they would have totally different views on North Western Ontario.

16. How long do you plan to remain and/or working in North Western Ontario?

This question summed up the general feeling each person had about North Western Ontario. The answers were usually "As soon as I finish high school" or "the rest of my life." The latter answer gave a good indication of the people questioned.

The questionaires were distributed by teachers to one grade 11, 12 and 13 class from each of the eight schools:

- 1) Geraldton Composite High School
- 2) Nipigon Red Rock High School
- 3) Red Lake High School
- 4) Queen Elizabeth High School (located in Sioux Lookout)
 - 5) Hammarskjold High School

- 6) Port Arthur Collegiate Institute
- 7) Selkirk High School
- 8) Northwood High School

The students had ample time to complete the questionaires (approximately 20 minutes). This insured that their opinions were thought out and answered with care.

The questionaires were compiled in a matrix form. Each class was evaluated and the results of the Thunder Bay schools compared with the other schools. Finally, North Western Ontario as a whole was evaluated.

Overall, the results were extremely successful and projected a definite concensus. Through them we made good conclusions and observations. The study also provided students with means to express their feelings confidentially about North Western Ontario.

The interviews were very interesting. They gave us a personal approach as opposed to the indifferent questionaires, which exposed us to their inner thoughts on North Western Ontario.

We interviewed the students' councils of each school. We chose this group for several reasons. First, the students' council is supposed to be representative of the students' views; therefore, the council would know the problems teenagers have. Secondly, the students' councils

were easily accessible. They are accustomed to talking with people and to visits by outsiders. Due to this, they were comfortable speaking with us and gave us significant information. Thirdly, the students' councils are aware of the economic conditions of the area through their interaction with the business community. Because of this, they could inform us of the problems in there community.

There were a few problems with the interviews.

Students' council attracts a certain type of person. The politically-inclined personality that tries to adhere to the majority is dominant in the councils, diminishing the individualism. Also, in the councils, some races were excluded, which gave us a one-sided opinion. The most pronounced example of this is in one school where the native population is approximately one third of the student body, however, there was not one native council representative.

When asked, the council members said, "We don't associate with them and they [the natives] don't associate with us."

Generally though, the students' councils gave a vivid view of their situation (economically, socially and environmentally).

Overall, The two approaches gave two points of view - personal and impersonal. This combination reflected a clear view of the problems encountered by North Western Ontario's teenagers.

Interpretations of Results

The students ideas on North Western Ontario basically fall into four catagories.

- 1) Education
- 2) Employment
- Community facilities
- 4) Students' perceptions of North Western Ontario

Each of these sections are discussed in the following pages.

Education

With today's technological advances, education plays a key role in today's youth. In order for North Western Ontario to maintain their place in the technological world, the new generations must be kept in tune with advancement. A proper education is a major factor in keeping up.

Most teenagers have been attending school for the majority of their life. This has a great influence on the perceptions and opinions of the students. By asking questions about any previous and future education they plan to obtain, we can generally determine the intellect of the students we have questioned and the type of jobs most people will attain.

The location in which they obtain their education will greatly affect the development of North Western Ontario.

We found that results from Thunder Bay wavered from one extreme to another. The following figures show the number of students planning to obtain post-secondary education.

94% Port Arthur Collegiate High School

95% Hammarskjold High School

83% Selkirk High School

56% Northwood High School

Northwood is the school with the lowest percentage. It has one of the best technical departments in North Western Ontario. Students here take advantage of these facilities and are using the knowledge they obtain from high school to enter the work force.

The percentage of students in Northwood High School that are going to obtain post-secondary education plan to achieve it in Thunder Bay. We found that 42% of these students will be taking an apprenticeship program. This was the highest percentage of any school surveyed.

Port Arthur Collegiate Institute, Hammarskjold High School, and Selkirk High School all had relatively high percentages of students going to university or college.

University is the destination of 75% of the students at Port Arthur Collegiate Institute. This is a straight academic school with next to no technical courses available.

We found that 34% of the post secondary bound students will obtain their education in North Western Ontario. 33% of these students plan to go elsewhere in the province and 20% will leave the province for university. This is not suprising. Lakehead University quite often does not offer the courses required by the students. The major concern, though, is not that students leave North Western Ontario for their education, but that only 30% plan to return there to begin a career. Students have obviously been brought up to

believe that North Western Ontario is not a prosperous place for work.

Hammarskjold High School students seems to reflect the same attitudes as Port Arthur Collegiate Institute. Selkirk High School again has a majority of students who wish to obtain post-secondary education. However, there were quite a few more people interested in a college education rather than university one. The remaining figures again were much similar to Hammarskjold High School and Port Arthur Collegiate Institute.

The results we received from the surrounding towns were comparable to those of Thunder Bay. The following figures show the number of students in each of the towns who plan to obtain post-secondary education:

Sioux Lookout	908
Geraldton	898
Nipigon/ Red Rock	808
Red Lake	77%

With respect to these figures, Red Lake seems to have relatively more students who are planning to finish their education after high school and enter the work force.

Most of the students who will be obtaining post-secondary education intend to attend university or college, with only a small minority receiving apprenticeship training. 19% of the students going to university and college are going to North Western Ontario. This figure is lower than the 34% for Thunder Bay schools.

The majority, (45%), are going to other places in Ontario, with Southern Ontario as their main destination.

30% of the students are actually leaving the province for university.

The number of students in Red Lake that are actually leaving Ontario to enter the work force after their post-secondary education was found to be unexpectedly low. We found 28% of the students are leaving but only 18% are actually returning to North Western Ontario to get a job.

Students in Sioux Lookout are basically college and university bound. Of the 90% of students that intend to obtain a post-secondary education, 19% of them are going to college and 68% are going to university. Southern Ontario seems to be the destination of approximately 44% of the students. Eventually, 37% of the students would like to return to North Western Ontario to work. This figure is comparitively higher than that of Red Lake (19%).

Students in Nipigon/ Red Rock tend to have the same ideas in mind. There were, however, no students that wanted to leave Ontario for their post-secondary education. A larger percentage, (51%), will be going to Thunder Bay for university or college. Nipigon/ Red Rock again have a fairly high percentage (33%) of students returning to North Western Ontario to later enter the work force.

The figures from Geraldton are similar to the results of Sioux Lookout and Nipigon/Red Rock. However, there are a few differences. A larger percentage of students are going to enter the work force, after their post-secondary education, elsewhere in Ontario. 25% will actually go to North Western Ontario, leaving a high 75% to go to elsewhere in Ontario.

To summarize the above, technology has really been advancing over the years, causing post-secondary education to become more and more essential to enter the work force. Our results indicated a high percentage of students that plan to attend post-secondary education. This shows an awareness of the importance of a good education in order to succeed in life. There are, of course, jobs that do not require post-secondary education, but these seem to be becoming rarer. People are finding employment more difficult to obtain. The graduates of North Western Ontario do have great potential in the work force; unfortunately, a large number of them are planning to leave North Western Ontario.

Employment

The types of jobs and where people are working has a great impact on the development of North Western Ontario. The perceptions of the students on the availability of jobs would greatly influence the immigration and emmigration of people into North Western Ontario as a "home for life". If most of our high school graduates are leaving North Western Ontario, then perhaps opportunities are just not available or they do not like the area.

We have found that a large majority of people would like to remain living and working in their home town. In several of the surrounding towns this is not possible because of the lack of job opportunities.

In Thunder Bay 48% are leaving for their career. Quite often the reason was that there were no opportunities in their chosen field in Thunder Bay. A large majority of people have lived in Thunder Bay for their entire life, (62%), and do not realize that the economic crisis exists throughout Ontario and even Canada. People are leaving because they "think they can get a job anywhere else.".

Also people are leaving for the sake of leaving. They feel they want something new and different.

The 38% that are staying in Thunder Bay are unaware of the wide variety of jobs available in a more technologically developed area and feel that the jobs available in Thunder Bay are basically the same elsewhere. If people have family

or relatives in Thunder Bay, they tend to stay here to maintain close family ties. For example, we found that Northwood Highschool (a vocational school) and Selkirk High School feel the idea above is representative of their views. 26% of the students plan to enter the work force after high school. 70% of these students plan to get a job in Thunder Bay.

71% in Thunder Bay already know what occupation they wish to have. This figure is fairly close to that of the other high schools. 29% of the senior students are not sure of their career goals. A few examples of careers in which students expressed an interest are as follows: carpenter, auto mechanic, welder and chef. These occupations do not require post-secondary school education.

We found that 50% of the students have a job concurrent to schooling. Generally the jobs most people have are: waiter/waitress and store clerk. They are all employed on a partime basis. It was generally agreed that jobs were scarce and difficult to find. "There's nowhere to get a job" was one person's feeling.

Port Arthur Collegiate Institute (P.A.C.I.) and Hammarskjold High School generally had results much the same. At P.A.C.I. 5% planned to discontinue their education and get a job, whereas at Hammarskjold it was 6%. This is significantly lower than that of Northwood (44%) and Selkirk (17%). The remaining 94-95% will go on for

post-secondary education. Of the students quitting school after high school from Hammarskjold High School and Port Arthur Collegiate Institute, 57% will be leaving North Western Ontario for their job. The majority of these students will actually be leaving the province. Obviously, these students do not feel that North Western Ontario is adaquate. "North Western Ontario is the shits", remarked one student. There were, however, students who would like to live in Thunder Bay because of the recreational facilities, but feel that the opportunities are not available at the present and therefore must leave to find a job. "Thunder Bay is great, but I have to leave because of jobs", stated one person during an interview.

We have found that approximately 54% of the
Hammarskjold and (66%) Port Arthur Collegiate Institute
students know the career they plan to follow. Considering
that almost all the students plan to obtain post-secondary
education, the fact that only 54% and 66% know what they
want to do is rather unusual. Typical careers include
engineering, computer technology, physical therapy, nursing
and social work. Most of these jobs require post-secondary
education to achieve. Upon completion of this education,
36% from P.A.C.I. and 39% from Hammarskjold are returning
to Thunder Bay to start their career. This is actually a
large number of students.

The questionaires showed that, on the average, 57% of the students have jobs. About 97% of these jobs are part-time. The jobs that most students have are working in a restaurant, store clerk and stock boy/girl. "Jobs are impossible to find.", remarked one student in the process of looking for a job.

People in the surrounding towns had mixed feelings about job opportunities. In Red Lake most of the people felt that there were absolutely no opportunities available. "I'm leaving because there are no jobs.", is one of the more common remarks by the Red Lake students. "Right now there's great big layoffs all over the place. The mine here just layed off a whole bunch of people.", stated another student. Geraldton students had an opinion parallel to that of Red Lake. They generally plan to leave as soon as possible to either enter the work force or continue their education. In several instances students are almost forced to leave. The career which they plan to persue is not available in their town and sometimes in North Western Ontario.

Sioux Lookout and Nipigon/ Red Rock seemed to coincide.

"If a person really wants a job, he/she can get one.", is
many of the students attitudes. People felt that jobs were
available and that there was no real unemployment problem.

However, students still wanted to leave. Again students
want to obtain an high techology job which is not present in
North Western Ontario.

The number of students who know what occupation they plan to aim for is much the same throughout the surrounding towns. The following students know what they want to do:

Sioux Lookout ----- 76%

Geraldton ----- 63%

Nipigon/ Red Rock ---- 62%

Red Lake ----- 56%

These figures are similar to Thunder Bay school results. Considering 90% of the people in the surrounding area will be obtaining post-secondary education, it would be expected that students would have an idea as to what occupation they will follow.

The high school in Red Lake does not offer any technical courses. Students will therefore be limited to certain jobs. This was the only school, in the smaller towns, without technical trades being taught.

The occupations that students plan to obtain varies greatly. Some examples are; journalist, doctor, mortician, computer technologist, engineer. Most of these jobs require post secondary education. Students in Red Lake, however, complained of a lack of financial support to support their post secondary education needs.

The number of students, in the smaller communities, with jobs was lower than the students for Thunder Bay. On the average, about 36% of the students in the smaller communities have a part-time job of some sort. 41% of the students in grade 13 have a job.

The students of North Western Ontario who graduate from high school have great potential in the working force.

However, North Western Ontario seems to be losing out. The outflow of students is remarkably high. Jobs in North Western Ontario are not readily available to fill peoples needs. If a person's ambition is to work in the grain elevators then Thunder Bay is one of the best places in the Canada to work. However, the recent poor job situation in Thunder Bay are turning students away. People that go away to college or university do not intend to return to North Western Ontario. These students do not think that North Western Ontario has the potential to fulfill their career needs. Southern Ontario seems to be the recipient of North Western Ontario's graduates.

Community Facilities

Recreational and cultural events are an important asset to all people. Each age group has its own needs in these areas. Of course, the facilities and opportunities available to each age group are different. Teenagers have unique needs. They are subjected to authority while at the same time are striving for independance. The general dissatisfaction the students had were as follows:

"Adults have booze and kids [13 and under] haven't the freedom."

The majority of students felt the entertainment was geared to nineteen years and older or thirteen years and under. As one girl from Nipigon stated, "It's a good place for younger children to grow up in but as you reach 13 - 14 they should go somewhere where it's more recreational and involvement in the teenagers and community." However, they suggested ways that this situation could be improved. With no mental stimulation of the mind outside of school, the students tend to become like sheep. In Red Lake the students told us that fads catch on easily. Kids feel that they must be a part of a group. When one person brings in a new idea it is either a) you become an outcast or b) everyone likes and follows your idea. The example the Red Lake students used was with guys wearing earrings. One student wore an earring and then everybody had one. general philosophy was expressed in Geraldton, Nipigon-Red

Rock and Sioux Lookout but not in Thunder Bay. The Thunder Bay students figured this was due to the larger size of the city.

Thunder Bay has several recreational centres; eg.

Selkirk auditorium, Canada Games Complex and Confederation

College gymnasium. The small towns, though have very few,

if any, recreational centres. Red Lake though has only one,
which according to students is not well maintained.

However, there was little correlation between what was

available and what students' perception of what should be

available.

In Thunder Bay there were few students who did not want some type of new facility. The following were some of the suggestions made:

Arts Complex	45%
Sports centre	24%
Satisfied with present facilities	238
Museum	5%

It would seem that since so many students want a sports centre, they are not satisfied with the present ones. The arts complex is a current issue which has been advertised greatly; therefore, many of the students are assuming the ads are correct.

Red Lake students wanted the following:

Sports facility (eg. indoor pool) -- 59%

Satisfied with present facilities --- 19%

Theatre (eg. stage) ----- 15%

The students' council in Red Lake emphasized the need for rock concerts in their town. They told us that if they wanted to see a live band they had to find their own transportation to Thunder Bay, Dryden or Winnipeg. Most of them remarked that they could not afford this. This feeling is common to all of the small communities we visited.

Sioux Lookout students recommended:

Sports facility (eg. indoor pool) -- 58% Satisfied with present facilities --- 28%

Nipigon-Red Rock students suggested:

Geraldton students requested:

The small communities seemed to have a common feeling that their towns are lacking in facilities for extra-curricular activities. The implications of these feelings are many.

The standard recreational activities are the ones requested by the schools surveyed. Since the students do not have the basic activities, what do they do for enjoyment? Drink. All of the students agreed and stressed this point. When we asked the councils what were typical student activities on weekends, the immediate response was "partying". They also felt that this was their main form of recreation. Therein forms the problem. The students carry this attitude with them their entire lives, associating alcohol with leisure. The students realized that alcohol problems amongst them start out this way. The strange (almost scary) thing is, they accepted drinking problems as "O.K." and adapted to this concept.

We also asked about the drug scene. Thunder Bay students realized there was a high usage in their schools, following the same pattern as alcohol. The students from the smaller towns did not feel there were large amounts of illegal drugs being used in their school and did not believe anyone in the area used them extensively for recreation.

Generally, the students wanted something done about the lack of facilities. Red Lake students felt the strongest towards this matter. It also seemed that the senior

students were worried about the alcohol abuse in the junior grades (8, 9 and 10). They felt the lack of these facilities was a major factor in their decision to live elsewhere for their whole life.

Students' perceptions of North Western Ontario

A person's perceptions are rarely the same as fact.

The importance of this is major. The way people see their situation describes the effect the environment has on them. It also dictates the attitude that should be considered in trying to aid North Western Ontario and its people.

The students we interviewed from North Western Ontario had a variety of impressions. The following are a general overview of their idealisms about North Western Ontario.

THUNDER BAY

Northwood	Port Arthur Collegiate Institute
Hunting/Fishing 27% Small town 27% Education 16% Beautiful scenery - 13%	Hunting/ fishing 42% Beautiful scenery 40% Small town 22%
Hammarskjold	Selkirk
Beautiful scenery - 38% Small town 34% Hunting/ fishing 32%	Hunting/ fishing 40% Beautiful scenery 33% Small town 31% Education 4%

SMALLER COMMUNITIES

Geraldton	Sioux Lookout	
Small city 62% Beautiful scenery - 33% No pollution 31% Hunting/ fishing 25% Recreation 15%	Small city 35% Beautiful scenery 29% Hunting/ fishing 28% Recreation 28% No pollution 16%	
Nipigon/ Red Rock	Red Lake	
Small city 36% Beautiful scenery - 35% Hunting/ fishing 30% No pollution 18% Low unemployment 14%	Small city 37% Beautiful scenery 33% Hunting/ fishing 19% No pollution 13% Recreation 6%	

The overall trend for these communities is the closeness felt by being in a small town where everybody knows everyone else. Some students felt though that this "advantage" is a hinderance. As one student said, "Since everybody knows everybody, everything you do is watched."

There were many disadvantages expressed by the students. Some were economic, environmental and social. These are the most important ideas that should be taken into consideration if North Western Ontario is to be made bearable for students.

Nipigon/ Red Rock

THUNDER BAY HIGH SCHOOLS							
Port Arthur Colleg School	Hammarskjold High						
Cold Isolation High Prices Unemployment	48% 18%	Isolation Cold Unemployment No disadvantages	54% 38% 17% 11%				
Northwood High Sch	nool	Selkirk High School					
Cold Unemployment No disadvantages Isolation	3Ø% 27%	Cold Isolation Unemployment No disadvantages	45% 27% 13% 10				
Average for Thund	er Bay						
Cold Isolation Unemployment No disadvantages High prices	36% 19% 12%						
SMALL COM	MUNITY HIGH SCHOOLS						
Sioux Lookout		Geraldton					
No disadvantages Isolation Unemployment Small town	19%	Isolation Cold Small town No disadvantages	52% 33% 17% 15%				

Red Lake

Cold	31%	Isolation	5Ø8
Isolation	20%	High prices	29%
Small town	16%	Poor education -	27%
No disadvantages	16%	No recreation	19%

It should be noted that Red Lake students feel their lack of education is a major disadvantage. This is unique from all the other schools. It also implies that Red Lake students are upset at their education facilities and that it hinders their career options.

Average for Small Communities

Isolation	37%
Cold	21%
No disadvantages	18%
High prices	16%
Small town	14%
Unemployment	14%
No recreation	13%
Poor education -	10%

Average for North Western Ontario

Isolation	37%
Cold	32%
Unemployment	17%
No disadvantages	15%
High prices	12%

It seems the greatest disadvantage is the isolation factor. The problem with this extends into all areas of the student's lives. An example is their social life which suffers due to the far distances to travel to see friends, rock concerts and large community centres.

Some of these perceptions are influenced by several factors. The most prominant are the parents. In Sioux Lookout, one of the students was the son of an armed forces employee. His career decision was to become an employee for

the forces also. Another factor that most probably influences students' perceptions is the length of time they have lived in North Western Ontario and their present community. 87% of all the students have lived in North Western Ontario most or all their lives. In addition to this 72% have lived in their home town for all or most of their lives. This means that a high percentage of students have nothing to compare North Western Ontario to, making it almost impossible to have bad perceptions about the area. A perfect instance is one student's perception of distances. He said, "North Western Ontario is great because it is so close to everything."

The last section on the questionaire was for comments.

These were the most informative, interesting and
entertaining to read. The comments varied from one extreme
to another while the ideas were abstract and sometimes
obscure.

Thunder Bay School comments:
Selkirk High School

"We are the only community that can cancel any good rock group to come here. We are dumb and lazy. All we do is drink beer. We live for three things: sex drugs and alcohol. I don't eat back bacon. I like beaver. We've got the worst drivers in the world"

"Too cold! Too much snow! No summer! No nudist colonies! No good bars! Too many people want an arts complex. City League Football is needed. Power Lifting and Bodybuilding courses are needed. People are snobs. Kick out Assef [Thunder Bay's mayor]. Destroy the shopping malls. Do not allow Pakistan people in. Get better doctors."

"You got to live somewere [sic] it might as well be here."

"This is the best place in the country to live."

"Why is it called North Western Ontario? [1s] it that we live in another province than Ontario?"

Hammarskjold High School

"Northwestern Ontario is like a bunch of underdeveloped, bush camp cities. Post-secondary educational facilities offer nothing in the line of non-traditional careers.

"Any person who wants to make the best of their schooling and future career would be wise to travel out of the country. If that is to extreme for some, out of the province at least."

"We need better Provincial representation and participation in controlling Northwestern Ontario Resources in order to improve the area economy."

Port Arthur Collegiate Institute

"It [North Western Ontario] has gone to the dogs."

"Too many Indians"

"I LOVE IT HERE!"

"North Western Ontario needs more larger chains to come to Northern Ontario to give us more jobs and give us a larger range of products and consumer goods.

"In Thunder Bay one man ownes both T.V. stations limiting us to what he wants us to hear and limiting the number of programs because the same shows are run on both networks, tell the C.R.T.C. to get with it."

"The people in Southern Ontario forget that we are part of Ontario, and when they do remember, they believe that nobody lives up here. My own cousin found it hard to believe that a city of 113,000 existed outside of S. Ont."

"North Western Ontario is a great place to live, if you are an Eskimo."

Northwood High School

"North Western Ontario is now losing their main industry which is Minning [sic] and I can not see what the reason is for this but if the government or president think they now [sic] what their [sic] doing, I hope so because what are the people going to do for survival, this could cause a disaster and who's fault is it?"

"Instead of laying people off and raising prices why don't they keep them about the same price because there's not going to be enough jobs, so people won't have the money to buy, so store's (businesses) are going to go out of business, and there won't be anything left except bankrupcy."

"North Western Ontario is a nice place to visit but I don't like living in this dump."

"It [North Western Ontario] has nuthing [sic] the other provinces have, example - to sticked [strict], no recreational except skiing. Ontario is the shits. I would like to get out of this province as fast as I can."

"Its [North Western Ontario is] a cold, wet, miserable place to live where it's hard to get a job, but the citizens and people of North Western Ontario are the nicest in Canada. We do need couthness because the people in North Western Ontario don't know the meaning of the world. Like, I mean, look at the television stations. Poor disorganization or what? The radio people ain't bad, but at least you can't see them. We need more control over the rambunctious Indians. They want rights but they go around smashing windows in drunken stupors acting dumb. We should learn what the rest of the world is doing. Thunder Bay is at least two years behind the rest of the world in fashions, styles and technology. What ever goes out of style somewhere else, they ship it to Thunder Bay. We definetly need more technology. The mills are behind the times."

Outside of Thunder Bay schools

Nipigon/ Red Rock

"North Western Ontario is beautiful but it's not for me!"

"I think that if North Western Ontario is to become a thriving area more businesses should be encouraged to open up in the North because if there were more reasons to come, the people of Ontario would come. Then Ontario would't be so heavily populated in the south and would be more evenly populated in the north."

"Want it [North Western Ontario] to stay the same."

"I think [North Western Ontario] is a great place to live, since I been here all my life."

Geraldton

"North Western Ontario is a very friendly and communitive province. North Western Ontario is being run quite good but taxes etc... seem to be running a bit high."

"North Western Ontario should have decent rents, paved streets, and landscaping uptown. When you come into a town it looks like shack town."

"I like the weather when its not raining or snowing, its a nice place to visit but I wouldn't want to live here."

Red Lake

"We are forgotten or neglected by Southern Ontario."

"More attention needs to be concentrated to the Northwest by government."

"I hate it."

"Horrible place to live."

"I like it but there are no jobs."

"I don't mind it much, but some of the people here suck like the Education board."

"Basically, I like it. But it's a little under developed."

Sioux Lookout

"Everyone that comes to seek occupation in North Western Ontario comes here on a last resort bases [basis], or they come here and rip us off. ie. Dentists - we have one dentist and he charges \$1000.00 for pulling a molar."

"Boring."

"(Where is North Western Ontario??)"

"Too many tourists that exploit our resources!"

"Why do books and guides about Ont. neglect North Western Ontario? Why do they stop at Thunder Bay?"

"Should be 11th province or part of Manitoba."

"I feel that North Western Ontario is being exploited by the south. Southern politicials [politicians] think they know what we need but do not know first hand the problems involved."

There is a definite difference with respect to the perceived problems of North Western Ontario between the large city of Thunder Bay and the smaller communities. The Thunder Bay students are more concerned about the social aspects and problems; whereas, the other small communities are troubled about the economic and governmental aspects.

The perceptions of all people, including students, should be well informed. The questionaires displayed that many students were uninformed in general. This situation is very dangerous. If the students have a closed mind towards knowledge of their community, they will have problems making important decisions in the future; it would be like being asked a question in a foreign language to which you must reply.

Conclusions

It is apparent that students in Thunder Bay seem to enjoy it there and would like to live and work there.

Unfortunately, jobs are not available, forcing them to leave. The surrounding small towns dislike Thunder Bay and North Western Ontario generally. Sioux Lookout is an exception to this, however. The smaller communities feel unemployment is too high and the opportunities too limited.

The contrast in Thunder Bay and the smaller communities ideas was not suprising. Thunder Bay is a moderately large town with a small variety to offer, which suits Thunder Bay students. In the small communities, though, the students felt that there were not any opportunities for them. Also, if they were going to leave their town, they would go to a place with a large amount of opportunities; eg Winnipeg.

If North Western Ontario is going to prosper we must make the area more habitable for the students. This would involve taking their perspective into view and realize their needs. If this could be accomplished, North Western Ontario would be a major academic, cultural and employment centre regardless of its environment.

Recommendations

Research into the perceptions of other people, not just high school students should be done. The purpose, of course, would be to broaden the horizons of knowledge of the North Western Ontario area. With the acquired information, any person should be able to see what is needed in North Western Ontario. The subdivisions of research developement are as follows:

- 1) University students from North Western Ontario.

 Their perception of North Western Ontario would be invaluable. These students have lived and experienced the northern environment. Through their experiences they could make an important comparison to their present situation, make valid critisisms and suggestions.
- 2) Young adults already finished high school, who are working in the North Western Ontario region. These people have a significant effect on their community and their views would be relevent in evaluating North Western Ontario's needs. Also, there must be reasons for their staying in North Western Ontario. With this information, the advantages that people see would be outlined.
- 3) Adults' perceptions of North Western Ontario should be researched. Adults have interesting answers for the problems that face North Western Ontario. The perfect example of this was at the hotel in Red Lake. Brian and I were talking with the manager. He knew the effects of the

economic situation, however, the reasons were not clear to him. Since he needed some answer to satisfy him, he said strongly and bitterly that unions made all the problems in North Western Ontario. It was obvious that he was upset and feeling powerless. It is due to this feeling of powerlessness felt in the adult population in North Western Ontario that research should be done in this area.

4) The last group that should be evaluated are the territorial students that are brought in from their community to go to the high schools in the larger communities. Their views on North Western Ontario would be from experience of the true North Western Ontario and would therefore be extremely valid in evaluating North Western Ontario's needs.

The broader the spectrum of knowledge that could and should be obtained is better to collate a complete analysis of the needs and problems facing North Western Ontario.

Through this evaluation, North Western Ontario, Ontario, and Canada could benefit.

Tables of Results

The following tables are statistics obtained from the questionaires. The numbers represent the following:

- 1. Each number is the percentage of students that have lived in their home for:
 - a under 5 years
 - b between 5 and 10 years
 - c more than 10 years
 - d all their lives
- 2. Each number is the percentage of students that have lived in North Western Ontario for:
 - a under 5 years
 - b between 5 and 10 years
 - c more than 10 years
 - d all their lives
- 3. Each number represents the percentage of students who plan to only complete 11, 12 or 13.
- 4. The percentages are those who know what they intend to follow as a career.
- 5. The percentages represent the students that are presently employed.
- 6. Each figure is the percentage of students with a part-time or full-time job, (yes/no respectively)
- 7. Each percentage represents the number of students who will:
 - a Seek employment immediately after their high school education
 - b Continue their education by some means after their high school education
- 8. The figures are percentages from question number 8 from the questionaires. The letters correspond to the choice given except (n-c) which is (not sure) and (al) meaning (10)
- 10. same as question 8
- 11. same as question 8
- 12. same as question 8

The letters 'II', 'F', and 'T' stand for male, female and total respectively, for all the tables.

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ROYAL COMMISION ON THE NORTHERN ENVIRONMENT

The objective of this questionaire is to try and determine how you see your future opportunities in Northwestern Ontario, economically, socially and environmentally. Where choice is given please circle answer.

AGE	SEX	CITY	/TOWNSHIP	GRADE	
			·		

- 1. How long have you lived in your town?
- 2. How long have you lived in Northern Ontario?
- 3. What is the final grade in high school that you intend to complete?

Grade 11 12 13

4. Do you know what job or occupation you intend to follow as a career?

Yes No

If yes, what?

- 5. Are you presently employed? Yes No
- 6. If yes; is your job full time or part time?
 - i) What type of job is it? ie. fast food, mechanic, store clerk, etc.
- 7. Upon completion of your high school education, do you intend to:
 - a) Look for a job?
 - b) Continue your education?

If you intend to look for a job, please answer questions 8 and 9.

If you intend to continue your education, please answer questions 10, 11, and 12.

- 8. Will you seek a job:
 - a) In your hometown
 - b) In Northwestern Ontario?
 - c) Elsewhere in Ontario?
 - d) Out of the province?

- 9. If you answered C or D in question 8, why and where?
- 10. Do you intend to continue your education at:
 - a) Community College
 - b) University
 - c) Technical School
 - d) Apprentiship program
 - e) Other (please specify) -
- 11. Do you intend to obtain this extra education:
 - a) In your hometown?
 - b) Elsewhere in Northwestern Ontario?
 - c) Elsewhere in Ontario?
 - d) Out of the Province?

If you answered c or d in question 11, why and where?

- 12. After completing your extra education, where do you intend to look for a job?
 - al In your hometown?
 - b) In Northwestern Ontario?
 - c) Elsewhere in Ontario?
 - d) Out of the Province?

If you answered c or d in 12, why and where?

13. What do you consider to be some of the advantages of living in Northwestern Ontario?

14. What do you consider to be some of the disadvantages of living in Northwestern Ontario?

- 15. What recreational and cultural facilities would, in your mind, be needed in your community?
- 16. How long do you plan to remain living and/or working in Northwestern Ontario?
- 17. With regards to the economy of Northwestern Ontario, what would you consider to be the problems we are now faced with? ie. under developed resources, lack of high technology, etc.

If you have any <u>comments</u> to make about Northwestern Ontario please state them.

Student's Perceptions on North Western Ontario:
- Assessment - of Report Submitted to the R.C.N.E.

Our project, designed to gather high school aged persons' opinions on North Western Ontario, achieved its objective completely. Through our research and interpretations we formed an excellent indication of how students see North Western Ontario developing socially, economically and environmentally.

The students we talked to were open and friendly with us during the interviews which led the way for their true feelings to be expressed. We also found that since we are high school aged ourselves, the students could relate to us in our jargan, making the project a greater success.

Through this report one should see the district flow pattern of students in North Western Ontario. Along with this we should also realize the importance of students views and use them in planning North Western Ontario's future.

The students' ideas on jobs, career opportunities and recreational facilities are emphasized and discussed in the report. It should be noted that the students are unhappy towards their limitations. The report also suggest the ways to help students increase their career opportunities. The importance of this aspect is great in the long term planning of North Western Ontario.

Overall, through this report one should gain insight as to the problems of a North Western Ontario student in high school. Through this insight adults attitudes should change to consider students' special needs. It must be remembered "youth is The future".

Sid Fels

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Submission to the Royal Commission on the Northern Environment

MINISTRY OF ENERGY

December 1982

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1.0 Introduction

The Ministry of Energy's submission to the Royal Commission on the Northern Environment is intended to outline the Ministry programs and initiatives which are particularly relevant to the North. In addition, information is provided on energy resources in Northern Ontario, both conventional and nonconventional, and on energy demand in northern communities.

The first part of the submission discusses the energy resource potential of peat, lignite and large scale hydraulic power in Northern Ontario. Current Ministry activities intended to make the development of these resources more attractive are also discussed.

The second part of the submission discusses the role of the Ministry's Remote Power Unit and its activities in demonstrating alternatives for remote power generation and increasing the energy use data base. Current results of demonstration projects and commissioned studies are outlined.

The third part of the submission consists of a discussion of the application of the Environmental Assessment Act to northern energy development. The Ministry's proposed class environmental assessment for remote energy supply projects is also discussed.

In addition, two commissioned studies prepared for the Ministry that are relevant to the Royal Commission's work are attached. They are:

Northern Community Assessment study (4 Vol.) Remote Community Data Base (2 Vol.)

2.0 Major Energy Resources in Northern Ontario

2.1 Introduction

The major concentrated energy resources in Northern Ontario consist of peat, lignite and large-scale hydraulic sites. The Ministry, in conjunction with other Government agencies, has commissioned studies aimed at increasing knowledge about these resources and making their use more attractive. Development of these resources will be constrained by economic and environmental concerns such as minimizing disruptions caused by mining, flooding and the damming of canoe routes and wild rivers.

2.2 Peat

In Ontario there are about 9.9 million hectares of peat south of the perma-frost line. This contains the energy equivalent to about 26 billion barrels of oil. However, because of its low energy density it is unclear how much of the resource will be economic to harvest.

The Ministry is conducting the following activities in the peat area:

2.2.1 Market Survey: A consultant has been selected to carry out a market survey to determine the demand for peat in Northern Ontario as a substitute fuel for coal/oil/natural gas and possibly wood.

The results of this survey should be available in Spring 1983 in time to assist entrepreneurs in starting to drain bogs in the summer of 1983 if they wish to proceed with peat mining.

2.2.2 Peat Development Strategy: This Ministry, along with the Ministries of Natural Resources and Northern Affairs, is preparing a multi-year development strategy for the peat resources of the Province.

Harvesting of this resource will have a permanent impact on the northern environment and this question will be addressed in the strategy.

- 2.2.3 Indirect Liquefaction (Gasification): The O.E.C. will be calling for proposals to investigate the best technology for the gasification of peat (and wood) to produce methanol. Suitable technology could be in operation by 1986-1990.
- 2.2.4. Environmental/Regulatory Constraints: The Ministry Of Energy in conjunction with other Ministries will be carrying out a review of the regulatory and environmental constraints which could have an effect upon the development of the province's peat resources.

2.3 Lignite:

There are approximately 200 million tonnes of lignite in the James Bay lowlands. This contains the energy equivalent to that in approximately 300 million barrels of oil. Because of its low energy density the cost of transportation is high, relative to other fossil fuels. Therefore the lignite would have to be used close to the site or converted to another energy form with a higher energy density and transported to larger markets. Ontario Hydro, in partnership with Onakawana Development Limited, has examined the feasibility of developing a lignite mine and using the lignite to fuel an on-site generating station. The station size studied was for three units of 375 MW each for a total capacity of 1125 MW. In January 1982 Ontario Hydro announced that it would not proceed with the station after economic studies showed that lifetime costs would be \$12 billion (1995\$) compared with \$5.2 billion for a similar size nuclear station and \$3.6 billion for an hydraulic one.

The Ministry is conducting the following activities with regard to lignite:

2.3.1 Market Survey

Onakawana Development Ltd has agreed to carry out a market survey to determine the demand for lignite as a substitute heating fuel to replace coal/oil/natural gas and possibly wood.

The result of this survey should be available by the spring of 1983.

2.3.2 Direct Liquefaction

The Ministry has placed a contract with S.N.C. to carry out a review and assessment of the technologies for the direct liquefaction of Ontario lignites to produce a high energy density synthetic crude oil.

The report should be available in the spring of 1984. It is not anticipated that the technology will be commercially viable until the year 2000.

2.3.3 Indirect Liquefaction (gasification)

On December 1, 1982, OEC issued a Request for Proposal to 11 consulting firms to assess the best technology for the gasification of lignite to produce methanol.

2.4 Large and Medium Scale Hydraulic Potential:

Most of the large scale undeveloped hydraulic power in Northern Ontario is on four major rivers, the Albany, the Winisk, the Attawapiskat and the Severn. Together these rivers have an estimated average annual output of over 2400 MW. The possible future development of these rivers is a key policy issue. Acting on a request from Grand Council Treaty No.9, the Government agreed in 1976 to place a prohibition on studies of the hydraulic developmental potential of these rivers.

The postponement was originally scheduled to be reviewed after the final report of the Royal Commission on Electric Power Planning was received. However, the Royal Commission did not deal directly with the issue. The Ministry would only be prepared to consider lifting the prohibition on studies when a strong rationale for doing so is made.

In terms of medium scale hydroelectric sites Ontario Hydro is studying a site on the Little Jackfish River, north of Lake Nipigon. This site is expected to have a peak capacity of over 150 MW.

Ontario Hydro will discuss hydraulic development plans in their submission to the Royal Commission on the Northern Environment scheduled for early 1983.

2.5 Small Scale Hydroelectric Potential

The Ministry of Energy established the Small Hydraulic Development Program in 1981. The target of this program is 100 MW of new small hydro by 1995. Much of Ontario's most economic small hydro potential with the least environmental impact is at existing dams in Southern Ontario but there are small hydro opportunities in Northern Ontario which will be actively pursued.

2.6 Wood

Studies have indicated that 80 per cent of remote communities in Northern Ontario could generate all their electricity and heat requirements using locally available wood. Industrial operations in remote Northern Ontario are currently not taking advantage of the potential for using uneconomic species and slash to provide electricity and heat for their isolated camps, thus replacing current diesel generation. The electric generation technology is mature and has been used to advantage elsewhere in Ontario for upwards of 80 years.

3.0 Remote Power Unit

3.1.0 Introduction

The Remote Power Unit was formed in 1981 to investigate, develop and demonstrate alternatives to diesel electric generation in remote locations and to reduce oil dependence and stabilize power costs in locations not served by the Ontario Hydro transmission network. The Unit administers the Hydroelectric Demonstrations in Ontario Program and the Wind Power Demonstration Program. The high cost of generating electricity in remote locations is increasing the cost effectiveness of renewable energy technologies relative to conventional ones.

Current Activities: Three program development studies that relate to Ontario north of 50° latitude that are complete or underway are outlined below. Collectively these studies will examine energy end-use, renewable energy resource potential, and institutional and technical barriers to renewable energy delivery in remote locations.

Various technology feasibility studies and demonstrations that relate to the study area are also underway; these include:

- . Sudbury Wind Diesel Hybrid Demonstration
- . Small (10 KW) Wind System Demonstration
- . Wood Gasifier/Combustion Engine Demonstration
- . Wood Boiler/Steam Engine Demonstration
- Micro Hydro Feasibility Studies for Oba and Muskrat Dam.
- Future Directions: To successfully meet its objectives, the unit will pursue the following directions in the short term:
 - Complete identification of energy supply and demand in remote locations.
 - Complete technology demonstrations to determine energy cost comparison with diesel systems and to develop small scale renewable energy technology for Canadian and export markets.
 - Inititate studies to identify conservation measures that will reduce energy consumption in remote communities.

- Liaise with the federal government in the implementation of their newly announced Remote Community Development Program through the Conservation and Renewable Energy Office of Energy, Mines & Resources Canada.
- Coordinate the development of a strategy and approach to improve the energy available to remote locations.

3.2.0 Program Development Projects

3.2.1 Northern Community Assessment Project

The purpose of this study is to undertake the following for ten of Ontario's remote communities:

1) obtain energy end-use data

2) identify energy supply costs

3)

identify renewable energy resource potential assess the feasibility of the installation of renewable 4) energy technology.

5) develop a community decision making process to enable community leaders to select the most appropriate system.

The final report is now available.

Major Findings

The major findings of the report are as follows:

- 1. Wood is the largest energy source in all seven native communities and in two of the non-native communities studied accounting for about 70% of energy use.
- Fuel oil is the second largest energy source and is used 2. for electrical generation and space heating for institutional buildings and non-native residences.
- 3. There are sufficient sustainable wood resources to fuel wood-fired electrical generation systems in all study areas except one.
- Small Hydro potential is good for one of the ten 4. communities studied.

5. The following systems were recommended:

System	No. of Communities
Wood Boiler/Steam Engine Wind Diesel Hybrid Micro Hydro Conventional Diesel Grid Connection Wood Gasifier	5 4 1 3 1

Conventional diesel systems are also feasible in some communities.

- 6. The community decision making process proposed consists of the following steps:
 - determine community objectives;
 - determine which energy options are technically feasible;
 - compare and rank each option by: a) cost, b) operating characteristics, c) impacts.

The process consists of a series of questions designed to ensure that community members understand all of the implications of each option. This process should be reviewed by the Commission for possible application to other proposed projects.

3.2.2 Remote Community Data Base

The purpose of this study is to obtain the following data for all Ontario's 43 remote communities:

- 1) Energy end-use quantitites and costs (by each facility and agency).
- 2) Renewable resource potential.
- 3) Community financial and employment base.

The final report is now available.

Major findings

- The major energy demand in remote communities is for space heating.
- 2. Wood is the major energy source in nearly all of the remote communities.
- 3. Institutions and diesel generators are the largest users of liquid fuels in the remote communities and fuel oil is the major liquid fuel used.

- 4. Use of liquid fuels for residential space heating is largely divided on racial lines between natives and institutional employees virtually all native homes are heated by wood.
- 5. Demand for liquid fuels and electricity in remote communities is growing rapidly.
- 6. Many citizens in remote communities desire access to full service electrical energy at a price competitive with other Ontario citizens.
- 7. Major opportunities exist for energy conservation programs in remote communities. First priority programs might include:
 - insulation retrofitting and increasing airtightness of homes and institutional facilities.
 - incentives to promote the use of high efficiency wood stoves.
 - investigation of heat recovery systems and mechanically-coupled wind assistance on diesel electrical generators.
 - use of high energy efficiency designs in the construction of new homes and facilities.
- 8. Liquid fuels are expensive in most remote communites compared to other parts of Ontario, largely as a result of the cost of air transport.
- 9. Potentially lower cost and more energy efficient transportation modes, i.e. winter roads and summer barge service, are not being fully utilized and are in decline.
- 10. Wood appears to be the best renewable energy resource option in nearly all of the communities and could be considered in some communities as a fuel for electrical generation using wood boiler/steam engines.
- 11. Existing wood heating systems are not energy efficient. Community run systems should be adopted.
- 12. Forest management practices for the cutting of fuel wood are limited and improved silvicultural practices improve productivity and regeneration.
- 13. Nine communities have a good potential for small-scale hydraulic development.
- 14. Peat is an alternative nonrenewable energy source. At this time it does not appear to be a viable energy option for these remote communities. Peat inventory information, extraction technology and possible environmental impacts are not fully developed at this time and require additional research.

- 15. Active solar systems are not viable in these remote communities at this time; any direct solar initiative should be of a passive nature in conjunction with the design of new buildings.
- 16. Photovoltaic systems have potential for small stand-alone energy using facilities to displace small diesel generators.
- 17. Wind/diesel systems have potential for all Hudson Bay and James Bay communities.
- 18. Small wind systems (2-10 kW) have potential for supplying the electrical needs of individual dwellings, government buildings and commercial buildings.
- Barriers to the Installation of Renewable Energy
 Technology in Remote Communities (Barrier Study)

This study consists of an identification, analysis and ranking of various social, environmental, institutional and technical barriers to the installation of renewable energy technology in remote communities.

The final report will be available in late 1982. The draft report had not been prepared at the time of writing of this submission. Preliminary conclusions are not available.

In our opinion the above studies relate to the mandate of the Royal Commission on the Northern Environment in the following way:

Close Relationship:

- 1) Identify the feasibility of alternatives and undertakings.
- 2) Provide useful background data.
- 3) Identify the extent of the natural resources in proximity to remote communities that could be used for energy purposes.

Distant Relationship:

- 1) Deal with projects that are not major in scope.
- 2) Deal with projects that individually do not result in a large environmental impact.

3.3.0 <u>Technology Development Projects</u>

3.3.1 Sudbury Wind Diesel Hybrid

This project consists of the design, installation and monitoring of an 80 kW wind-diesel installation currently being monitored in Coniston, Ontario. The purpose of the demonstration is to determine the economic feasibility of using wind systems to reduce the fuel consumption of Ontario's remote community diesel generators. The Hudson Bay and James Bay communities in Ontario have sufficient wind regimes to ensure the technical feasibility of such a system.

After all monitoring has been completed in Sudbury in 1983, it is the intention of the Ministry of Energy to relocate the system in Fort Severn, Ontario.

3.3.2 Small Wind System Demonstration

This project consists of the selection, procurement and demonstration of a small 10 kW wind electric system. The system will be procured and monitored at the Atlantic Wind Test Site in Prince Edward Island. The system will then be relocated at the Kortright Centre in Maple, Ontario, and will be demonstrated to the public.

This project will determine the cost and technical feasibility of using small wind generators to replace small diesel generators in remote areas of Northern Ontario. The system is expected to be procured by November 1982 and will be relocated in Ontario by March 1983.

3.3.3 Wood Gasifier/Combustion Engine Demonstration

This project consists of the following three phases:

- Phase 1: The assessment and selection of a small 100-300 kW gasifier coupled to a dual fuel engine to produce electric power for remote communities.
- Phase 2: The procurement and installation of the system in Ontario.
- Phase 3: One year of performance monitoring and public demonstration.

If this system proves to be commercially viable and financially successful these systems could be used to replace diesel generators in remote communities in Ontario.

Notes

The study will also determine quantities of wood required to operate such systems.

3.3.4 Wood boiler steam engine demonstration

This project will determine the cost and technical feasibility of using wood boiler/steam engines to replace diesel generators in remote Ontario communities. The project will include the design and procurement of a 60 kW wood boiler/steam engine set. The system will be operated in a Northern Ontario lumber mill. As noted above, the Northern Assessments Report (Middleton, 1982) recommended such systems for 4 remote native communities.

3.3.5 Micro Hydro Feasibility Studies for Muskrat and Oba

Feasibility studies are currently underway to determine the system requirements and costs of installing micro hydro turbines in these two remote communities in Ontario. The final phase of the Oba feasibility study is expected to be available in December 1982. Phase One of the study concluded that the payback for the small hydro installation at Oba would be about 15 years (at which time a replacement for a diesel generator would be required).

The Muskrat Dam feasibility study is expected to be available in March 1983.

In our opinion the above technology development studies relate to the mandate of the Commission in the following ways:

Close relationship:

- 1) Deal with the feasibility of alternative undertakings.
- 2) In total, they could eventually exert a major financial and social (mostly positive) impact.

Distant Relationship:

- 1) The environmental implications of the projects are likely to be minor in extent.
- 2) The number of these systems that will ultimately be installed is not known at this time. However, by the end of 1984 most of the technologies will have been demonstrated. Financial feasibility will be determined at that time.

4.0 Polar Gas Project

The Polar Gas Project is a proposal by a consortium of companies to build a pipeline to connect Arctic frontier reserves of natural gas to the southern Canadian and U.S. markets. The sponsors are Panarctic Oils Limited, TransCanada PipeLines Limited, Petro-Canada, Tenneco Oil of Canada Limited, and the Ontario Energy Corporation. The original application has been withdrawn and since then alternative routing studies have been in progress. One of the routing options would proceed through northwestern Ontario.

The attractiveness of the Polar Gas Project may be reduced to some extent if the proposed Arctic Pilot Project is approved and particularly if it is then subsequently expanded. These two projects are competing proposals for bringing Eastern Arctic gas to Southern markets. The National Energy Board adjourned its hearings on approval of the Arctic Pilot Project because of uncertainty about export markets.

Decisions are expected over the next year on which routing alternative is most appropriate.

5.0 Environmental Assessment Activities

5.1 Introduction

In the area of environmental assessment the Ministry of Energy has prepared a Class Environmental Assessment for Remote Power Projects. The Ministry is also studying the entire range of its programs for potential application of the Environmental Assessment Act.

5.2 A class environmental assessment (E.A.) to cover remote energy supply projects

This document has been prepared by the Ministries of Energy and Northern Affairs to seek approval for small energy installation (less than 2 megawatts) in areas of Ontario which are remote from the electric power grid.

The Class E.A. specifically requests approval for four types of small energy projects. These are:

- (a) small-scale hydraulic systems
- (b) wind systems
- (c) energy systems using Biomass conversion
- (d) energy systems using engines or turbines

The purposes of these projects are as follows:

- a) to provide an adequate, reliable and economical supply of energy to remote locations.
- b) to enhance the stability of remote communities.
- c) to improve the standard of living in remote areas which do not have adequate energy supply.
- d) to reduce the consumption of non-renewable oil based fuels while increasing the use of indigenous and renewable energy.
- e) to establish working examples or demonstrations of new or alternative energy technologies.
- f) to provide energy sources which make attractive opportunities to develop tourist facilities in remote locations.
- g) to reduce noise and exhaust effects of existing energy sources, in particular, diesel generators.

The document is currently in the pre-submission consultation phase and has been widely circulated to other government ministries and to the Royal Commission on the Northern Environment.

Formal submission of the E.A. to the Ministry of the Environment is expected early in 1983.

6.0 Task Force on Northern Electrification

6.1 Introduction

The Task Force was established October 1, 1982 to review and make recommendations to Cabinet on the state of electrification in remote northern Ontario communites by February 28, 1983. The Task Force is made up of representatives from Ontario Hydro, the Resources Development Secretariat-Indian Affairs, and five Ministries: Energy, Northern Affairs, Natural Resources, Transportation and Communications and Treasury and Economics.

The Task Force is to examine electrification in remote northern communities with regards to existing operations, need for new service, available capital financing methods, rate structures, guidelines for choosing between supply options, integration of development and demonstration programs, responsibility for servicing native communities, service to telecommunications sites and the role of private power companies.

6.2 Terms of Reference

Task Force On Northern Electrification

Purpose: To review and report on the state of electrification in remote northern communities in Ontario and make recommendations to Cabinet.

Review Group: Ministry of Energy - 2
Ministry of Northern Affairs - 2
Ministry of Natural Resources - 1
Ministry of Transportation & Communications - 1
Resources Development Secretariat - Indian
Affairs - 1
Ministry of Treasury & Economics - 1
Ontario Hydro - 1

Objective: To review the present state of electrification in northern remote communities and assess the need for future services.

Specifically to review and make recommendations on the following:

- 1. Operational state of existing services. Their present operational cost and forecast of future costs taking into account the supply and price of fuel oil.
- The need for electrification in communities without electric power and to recommend guidelines for the establishment of new services.

- 3. The methods available to provide the capital financing with reference to all potential provincial and federal government sources.
- 4. The method of operating existing and new services with reference to rate structures, conditions of service and the need for operational subsidies.
- 5. Guidelines for the choice of on site generation or connection to the Ontario hydro grid.
 - 6. The integration of development and demonstration activities into programs to provide power to remote communities.
 - 7. The responsibility to provide service in native communities.
 - 8. Service to Telecommunication sites in established communities.
 - 9. The role of private power companies in supplying service in some areas.

Method of Operation:

Meetings of the delegates of each Ministry or agency, each to provide input in their area through briefs or the presentation of information from specialists associated with the items under study.

Meetings in Toronto with travelling to remote areas if considered necessary to see and understand installation or operating problems.

Time Frame: The Task Force to be commenced by October 1, 1982, and report by February 28, 1983.

Report: To the Minister of Energy and the Minister of Northern Affairs.



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BRIEF TO

THE ROYAL COMMISSION ON THE NORTHERN ENVIRONMENT EDUCATION AND TRAINING

There has been a great deal written and said on native education, training, and unemployment for many years. Much of what has been said has firmly established the problem, but the solutions are somewhat more evasive.

Northern College has been associated with native training in the James Bay area since the late 1960's. We have offered retraining programs in the villages of Winisk, Attawapiskat, Kashechewan, Fort Albany, and more recently, Moose Factory and Moosonee.

For several years we have been working with the James Bay Education Centre with the view of the James Bay Education Centre becoming a campus of Northern College. In the spring of 1982 the James Bay Education Centre did become a campus of Northern College and the facilities have been leased by the Board of Governors of the James Bay Education Centre to the Board of Governors of Northern College for a ten year period.

The James Bay Education Centre and Northern College have been endeavouring to meet the needs of the native people in the James Bay area albeit in a fragmented sort of way. There have been many successes but also some frustrations. Neither of us could have succeeded separately because what is needed in the James Bay area is a unified force and a cohesive plan to introduce and maintain education and training programs for the people living in the James Bay area.

The people of the James Bay area have now an education centre which is a campus of Northern College and which is part of the twenty-two college system of the Ministry of Colleges and Universities in the Province of Ontario. It is now time to get on with the job of meeting the expressed, and sometimes not expressed, needs of the people of the James Bay area. The campus has an advisory board of local people but they will only succeed if they receive the assistance and help of all public and private groups who represent the area. They will need this assistance especially in the development of their three-year plan for future training and education in the James Bay area. They must be made aware of the employment opportunities and possibilities, the plans of other government, public and private agencies and institutions, well in advance, of the need for any training and education.

It is therefore recommended that

(1) the James Bay Education Centre Campus of Northern College be recognized by all public and private agencies as the adult education and training centre of the native people of the James Bay area.

(2) the public, private and other agencies and institutions, etc. make their future plans, which include any requirement for education and training, known to the James Bay Education Centre in order for them to plan such education and training programs well in advance of the need.

(3) any project funded by the provincial and federal governments or the people of the James Bay area should include a provision in the project for a training component for the native people of the James Bay area. This training component should not be restricted to construction trades but should also include all aspects of operation, servicing, and administration.

There are many philosophical statements about the purpose of education. The one that is most applicable to the people of the James Bay area is that education is to give people control over their own lives. This philosophy is surely the philosophy of all the federal and provincial Ministries of Indian and Northern Affairs, Natural Resources, Community and Social Services, Trade and Tourism, Colleges and Universities, Culture and Recreation, Health, and the many Indian and Metis organizations, etc. It is therefore logical that those ministries which are represented in the James Bay area should be providing professional development programs to their staff in order that the basic purpose of education is achieved. The James Bay Education Centre Campus can assist the various public and private agencies in meeting their goals.

It is therefore recommended that

(4) the James Bay Education Centre Campus of Northern College be supported by the provincial and federal governments as a centre for applied, professional development programs of study for native workers in northern Ontario. These applied studies could include native community planning and development, native community administration/management, native community services, etc.

These programs would be of an applied nature and should be supported through the provision of knowledgeable staff from the various ministries, whatever financial support is necessary for those attending and for the educational resource materials.

The native people of northern Ontario are very concerned with regard to the loss of their cultural and spiritual heritage and particularly with regard to the lack of knowledge in this regard by the younger generation.

It is therefore recommended that with the cooperation of the Ministry of Culture and Recreation, and others, the James Bay Education Centre Campus be developed as

5) a Cree language training centre for integration into all programs as

well as for specialized language training.

(6) a centre for native cultural studies to be integrated into all programs as well as for specialized instruction to both native and non-native students.

7) a native arts and crafts centre to promote and maintain the native

arts and crafts of the Cree Indian in the James Bay area.

The James Bay area will be subjected to and affected by all kinds of social, economic and resource development in the next decade. The people will also be exposed to the new sciences and technologies. It is essential that the people of the area have some influence over the future issues. Therefore they must be well educated, well trained, and committed.

The JBEC Advisory Board and the Northern College Board of Governors are dedicated to meeting the needs of the people of the area and in this regard already provide some post-secondary, upgrading, skills training programs, some continuing education, apprentice training management, day and nursery care for children. The Ministry of Colleges and Universities, the Ministry of Community and Social Services and the Canada Employment and Immigration Centre has supported the Boards in their endeavours

through the provision of funds. In these economic times we appreciate the need for cost reductions but in view of the need for an adult training/education centre in the James Bay area we strongly recommend that

the Ministry of College and Universities, the Ministry of Community & Social Services and the Canada Employment and Immigration Centre continue to financially support the JBEC Campus to provide for

(a) post-secondary education programs

(b) academic upgrading(c) skills training

(d) apprenticeship training/management

(e) continuing education, TIBI, MDP, OCAP, etc.

(f) day and nursery care for children

and that this support be flexible to allow for alternative modes of delivery and concepts of training and service provision to meet the special needs and characteristics of the area.

These recommendations are not meant to develop the James Bay Education Centre into a huge, unreal financial burden to the Province of Ontario. The recommendations are submitted on the basis of a very modest beginning in close cooperation with all aspects of the public and private sector leading towards a well-established centre of native studies which is flexible in its course offerings and duration. There appears to be a rising impatience with the slow progress in meeting the native community needs. Here is an excellent opportunity through the James Bay Education Centre Campus to establish some goals in education and training which could contribute, not only to the enrichment of the native people, but also to the development of the area in keeping with the needs of the native people.

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NORTHERN
ONTARIO
DECISION
MAKING

Cochrane Tourist Outfitters Association December 5, 1982 Cochrane, Ontario

INTRODUCTION

In its July, 1979 Terms of Reference, Objectives, and Work Program, the Royal Commission on the Northern Environment states that one of its main objectives is to recommend necessary changes in the legislation, administrative structures and social development and protection of the natural environment in the north are made, considering their appropriateness, effectiveness, co-ordination, clarity, and responsiveness.

This report, "Northern Ontario Decision Making," has that objective in mind also, but in addition, it deals with the decision making process, or lack of it, in Northern Ontario, as implied in the title.

Even more specifically, this report looks at the problems that the tourist outfitters in the Cochrane area have faced and will continue to face when it comes to decision making and land use planning — problems could have, and should have been avoided.

Basically, the outfitters fly tourists into remote, isolated fish and hunt camps. Recently, the three major tourist outfitters in the Cochrane area created the Cochrane Tourist Outfitters Association (CTOA).

In the association are: Joe Veverka (Cochrane Air Services), Loyde Rogerson (Lindbergh's Air Service), and Steve Konopelky (Polar Bear Fly-in Camps and Tourist Outfitters).

All three are concerned that the last area now open to fly-in commercial tourism may be invaded and ruined by other resource users, e.g. forest and mining companies. They have noted that a number of prime commercial tourism areas have already been lost, due to access roads built without legal approval (Thorning Lake area, near Cochrane) and the access road to the Detour Lake gold mine which was, at least for a brief period, apparently in violation of Ontario's Environmental Assessment Act, which will be discussed at length in this report.

Access roads and land use planning in general will also be looked at in the report, which will conclude with a number of recommendations.

This report will show that the outfitters and the public at large in the Cochrane area were, to put it quite bluntly, misled time and time again during the decision making process on the above mentioned Detour Lake road project. Similar problems took place at the same time, and continue to take place, in land use planning decisions

in the Cochrane District by the Ministry of Natural Resources (MNR).

These problems are not unique to the Cochrane area.

The Sioux Lookout, Hudson Tourist Outfitters Association submitted a report of its own during a Royal Commission on the Northern Environment hearing, and in its report the Associations said:

Most of us are tired of responsing to a predetermined decision making process by being asked byMNR to choose an A, B, C, or D alternative that they have formulated. It appears that MNR has been given the awesome responsibility of a dispensing agency - they dispense our timber, our lands, our fish and game, and our minerals. In that role they are all-powerful; they make all of the final decisions. They are not required to obtain input from all those affected. Even if they do, they are not required to regard that input or most important to be accountable to Northerners for the consequence of their decisions... I bring MNR into discussion only because they, if anyone, are the main planning vehicle of the North... Only by creating a lasting long term planning device in which Northerners have a major role in the decision making process, can we begin to properly structure our economic futures and deal effectively with the economic problems of the past.

That is exactly what this report addresses — what has happened in the past is, of course, gone. Mistakes were made and problems created, especially with the Detour Lake road case. Perhaps something can be done to in the way of compensation, but even more can be done to make changes with the land use planning process, the Environmental

Assessment Act, and the decision making process as a whole, before any further damage is sustained either by the outfitters, the environment, or the people.

The outfitters' concerns are not selfish ones. As this report will show, they play a major role in the economy of the Cochrane area. They are an integral part of the community, taking advantage of a resource that is renewable each year, not every 100 years, as is the case with the forest products industry, and not like the mining industry, which has no renewable resource at all.

Just in the Cochrane district, the three men in the Cochrane Tourist Outfitters Association employ approximately 35 people and add well over \$2 million per year to the Cochrane economy. The outfitters have been, and will continue to be, genuinely concerned about the frightening lack of effective decision making. They have been frustrated in the past and would like to change things so that the public can get involved in the decision making process, especially at an earlier stage. As an example, at Ministry of the Natural Resources Open Houses on Land Use Planning, the public is asked for input after the fact. Most of the key decisions have already been made by the time an Open House is held — at least that was the case with the Open House held in Cochrane in June of 1982. Is it unreasonable to ask for a fair chance at input?

Such total disregard for the public and its input must be stopped, and now. Nearly two centuries ago, writer Edmund Burke had this to say:

The public interest requires doing today those things that men of intelligence and good will would wish, five or ten years hence, had done.

That statement still applies today, if not more so.

It is now too late to change what has happened. It is not too late to have something to say about what is to happen.

THIS PUBLICATION WAS PREPARED WITH THE FINANCIAL ASSISTANCE OF THE ROYAL COMMISSION ON THE NORTHERN ENVIRONMENT. HOWEVER, NO OPINIONS, POSITIONS OR RECOMMENDATIONS EXPRESSED HEREIN SHOULD BE ATTRIBUTED TO THE COMMISSION; THEY ARE THOSE SOLELY OF THE COCHRANE TOURIST OUTFITTERS ASSOCIATION (C.T.O.A.).

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PART 1

LAND USE PLANNING

Bob Rife, a writer, had this to say about the land use planning problem in Northern Ontario:

It is what you've dreamed of, what you've saved for months, perhaps a year or more, to do. A get-away to the Northern wilderness. A fly-in, a dream vacation to an outpost camp on a remote Lost Lake. The float plane banks toward the tiny red-roofed camp on the point of land jutting into the lake's gently rippled blue water. It's hard to believe this is finally all happening, all coming true. But wait. What's that, just yards from the cabin? It can't be a road. Not there, carved through this remote And those aren't cars, campers, mobile homes and buses lining the roadside where it dips toward the lake? But they are. Your wilderness getaway is no more. The dream, a nightmare. Civilization has come to Lost Lake on a forest access road. Unfortunately the nightmare, the access road, is a very real one in Northern Ontario.1

Sentiments such as his are shared not only by fly-in tourists, but by the outfitters themselves. They have, in the past, tried to point out that their business is in danger. One tourist outfitter in the Cochrane area, Joe Veverka, plain and simply said recently that:

"We will be out of business in 10 years...
the public doesn't realize what we bring
in, (but) we must exist with forestry and
mining. We can have everything if we plan."2

Clearly land use planning is the key to settling the existing dispute between the operators and other resource users, especially the forestry industry.

All of the tourist outfitters in the Cochrane area, according to a recent newspaper story, feel their livelihood is being threatened by the fact that the forest product companies are cutting and slashing so close to their camps that tourists will simply not want to go there anymore.

The story quoted another outfitter, Loyde Rogerson of Lindbergh's Air Service Ltd.:

"The worst thing," says Rogerson, "is that we have no place to go when they push us out. We're in a part of the province called Zone 26--bounded by James Bay on the north, the Quebec border on the east, Abitibi River on the west, and a point just below Little Abitibi Lake on the south. We've been forced as far north as we can go by the logging companies. Ther's just tundra north of us now. If they keep cutting they're just going to put us out of business."

In the same story, a third outfitter, Steve Konopelky of Polar Bear Camps and Outfitters pointed out that:

"The logging companies were no threat five ago...because they were operating south of here. Now, they're like a bunch of army ants. They're crawling north, destroying everything in their path. They have no respect for the land, they misuse it while they're cutting it over. If something isn't done to curb these logging access roads, the whole tourist outfitting industry in this area will die."

The points raised by the outfitters have not been denied by the forestry industry or the Ministry of the Natural Resources. In fact, the Cochrane District planner noted in 1981 that some logging roads, are heading further north than ever before, right into the tourist outfitters' areas. (See map 1 at the end of this report.)

DESIGNATED AREA

The Cochrane district manager for the MNR was quoted in one newspaper story as saying "we can't arbitrarily seal off a part of this province for one aspect of society, " ⁵ referring to a request from the outfitters for their own designated commercial tourism area.

Some members of the forest industry itself have said they are looking at all commercially viable stands of timber north of 50 degrees latitude in the province.

In 1982, the woodland manager for Cochrane Enterprises, a plywood-sawmill complex in Cochrane, said:

The future wood supply available to the forest products industry in Northern Ontario above all other things will be the determining factor affecting the economic viability of the industry in the years to come. of In recognition of this fact, to begin with we must underline the importance of the forest resource north of the 50th parallel as it relates to the total future wood supply picture. Because of the critical role it will play in the next management plan period, it is imperative that all commercially viable stands of timber north of 50° be considered in calculating the total AAC (annual allowable cut) in each respective region ... If the forest industry is to continue operating at its present capacity beyond 1990, the provincial government must place an immediate moratorium on all new park proposals. In addition, serious consideration should be given to permit logging in previously "untouchable" parks, reserves, wilderness and wildlife areas.

He also recommended that:

Alk uncommitted AAC in Northern Ontario should be made available to the existing sawmill industry which otherwise will be adversely affected by shortfalls in raw material supply...And yet, according to "The Economic Future of the Forest Products Industry in Northern Ontario," a report prepared for the Royal Commission on Northern Environmental, "the only region of Northern Ontario in which adequate wood supplies

DESIGNATED AREA (cont'd)

appear to be present is the Northeastern region." (page 149)

This is not to say that the forestry industry is not of great importance in Northern Ontario. The forestry industry will and must continue, but it must also co-exist with the other industries, including the tourism industry. This point has been agreed upon by the Cochrane district manager of the MNR, who said in a newspaper story:

A policy of compromise and co-existence must be followed by tourist outfitters...we have a mandate to listen to them. The mining companies and the logging companies have as much right to be in business as the tourist operators, but all three must find a way to co-exist.

The problem is, the MNR has supported the forestry industry in the past, and ignored the tourist outfitters. An example of this can be seen in the land use planning process in Northwestern Ontario.

COMPARISON

An interesting contrast can be seen by comparing the Phase I and Phase II documents of the Northwestern Ontario Strategic Land Use Plan. A 1980 Royal Commission on the Northern Environment funded report brought this entire issure to light in detail:

In spite of MNR's claim that policies were rewritten in light of public concerns, a comparison of Phase 1 and Phase 11 reveals, if anything, a stronger committment to maximum
utilization of forest resources. Phase 1 states
that the yearly cut at that time (1974) was 2.5
million units and that the "allowable" cut was
6.3 million. Concern was expressed that the
allowable cut was being allocated while the
Strategic Land Use Planning process was underway, thus precluding some options. In 1977,
Phase 11 states that almost all of the allowable

COMPARISON (cont'd)

cut of 6.3 million has been "committed (assumed to mean "allocated"). Thus, it is clear that decisions regarding the extent of resource utilization were not subjects for public deliberation.

The same report pointed out:

Phase I mentioned the need for a strong policy regarding cutting practices. In Phase II, other than a general reference in the discussion section to "harvesting designed to enhance good regeneration," there is no mention of the conflict between advocates of clear-cutting and selective cutting and the underlying concepts of mono-culture versus species diversification... Phase II does not address the conflict mentioned in Phase I. No mention is made in Phase II of the impact of cutting upon trapping and hunting activities nor the conflict with cottaging.

Clearly, if it can happen there, it can (and has) happened here. The local MNR offices at times do seem to support the outfitters, but most of the time the outfitters feel the MNR is working against them, as is clearly evident in written presentation made to the Minister of Natural Resources, Alan Pope, on Oct. 29, in Cochrane. In it, the Cochrane Tourist Outfitters Association brought up a number of points:

The Cochrane Tourist Outfitters Association (CTOA) is very disturbed about the apparent lack of concern by government for the tourist outfitting business in the Cochrane District. Recent developments (including) the proposed MNR Land Use Plan for the region have convinced us that it is imperative for the Minister to intervene on our behalf if this important part of the Cochrane economy is to survive.

An important part of the Cochrane economy it is. One of the three main Cochrane outfitters, Joe Veverka, touched on the financial aspect of the commercial tourist industry in a recent newspaper story:

Veverka says that between the three operators, they used to serve about 2,500 tourists every season (from May until October) but with road access to their camp sites, that number will fall drastically. The \$2.5 million spent by these tourists in the Cochrane area also will dwindle, he says.

The same point was stressed in the CTOA's brief

to the Minister of Natural Resources:

Together we employ approximately 35 people and add over \$2 million per year to the Cochrane economy. The secondary or spin-off economic benefits of our business are substantial. Unlike other northern businesses such as forestry or mining, we are more or less insulated from the economic vagaries of the day. For example, through aggressive marketing of our product this past year, we were able to increase our business this past summer. While other resource based industries in the area reduced staff, laid off workers, or shut down for extended periods of time, we increased staff and operated at capacity all season. If our renewable resource iss properly managed, we have every prospect that it will contribute to the local and regional economy forever. Without proper management and without protection, however, it will quickly disappear and an important part of the local economy will be gone forever.

The outfitters in the brief pointed out that the proposed Cochrane District Land Use Plan has fallen short in many areas:

We have not been happy with the way in which the Plan was formulated. We do not believe that we have been properly consulted. Too often we are presented with a "take it or leave it" attitude from your local office. While the local office purports to be interested in our views, the document indicates a rather blatant disregard for many of our concerns.

The MNR plan mentioned the conflict between the tourist outfitters and the logging industry, and this point was also analyzed in the brief to the Minister:

There need be no inherent conflicts between tourism and forestry, contrary to the statement made in (the Plan). With proper management the two can live in fairly close proximity to one another... It is lamentable that MNR only now proposes increasing the dialogue with tourism...Why wasn't this done sooner? To suggest that dialogue be increased with tourist operators is an excuse for talking rather than doing. MNR knows our problems... We cannot go further north. We are on the last lakes available for this type of use in the area. If we are pushed off these lakes, we will be pushed out of business... We have reached the point now where we have no option but to stand and fight for the few lakes available for our use.

It should therefore be obvious that even though the outfitters are, as they say, down to the last few lakes, they are still more than willing to negotiate for a compromise, as long as their interests are noted and appreciated by all sides involved.

DECISIONS for 20 YEARS

The problem is, the MNR is in the position of making the decisions as to land use planning in the area for the next 20 years, and yet it continues to show little if any respect for the commercial tourism standpoint.

Minutes from a June, 1981 meeting on discussions about MNR concerns relating to the Environmental Assessment for the Detour Lake

Access Road illustrates this point:

MNR has indicated that they have told the outfitters that outpost camps are interim uses for this area...they suggest that they not be compensated for any indirect impacts on their outpost operations...

This lack of respect is also shared by other government ministries, but will be outlined in detail in the part in this report discussing the Detour Lake Access Road.

The outfitters seem to be aware of the MNR's attitude. Again, in the brief to Mr. Pope, the outfitters point out that its industry raises a fundamental policy choice for the Ministry:

Your department can regard us as integral, a long-term part of thelocal economy, and an industry that is based on developing and selling a unique renewable resource, namely, wilderness and hunting and fishing opportunities...or, MNR can regard us as temporary users, here to exploit a resource until it disappears under increased public access, water pollution, and/or poor management. Our investment record shows that we are here for the long term. We now need a land use plan that recognizes this fact and gives us the protection necessary for us to remain a viable and integral part of the local economy. We are asking you to share our belief in the future of Northern Ontario. We know that we can make an important, long term contribution to the local economy ... All we ask is that our use of the land be regarded as legiti-mate and that we be given the same kind of long term recognition and protection afforded to other users.

Now, the decision making process comes into effect. The Minister, Alan Pope, will be completing his final Land Use Plans for all of the Ontario districts by the end of 1982. The plans will be in place for 20 years, yet he is making the decisions...alone.

Of course, he will have some assistance. There are binders of public input generated at open houses and public meetings which can be used. The district managers have sent in their own recommendations and analyses. However, Pope will make the final decisions himself, or has already, which brings up the entire question of public input into land use planning and decision making.

According to the Cochrane District Land Use Plan:

Proposed Policy and Planning Options, the district manager will wield
a considerable amount of influence and power when it comes to changes
or reviews of the now finalized District Land Use Plan:

The District Land Use Plan will normally be reviewed every five years. However, a review, or an amendment to the plan, may also be undertaken at any time the District Manager deems it appropriate... Minor plan amendments may be made at the discretion of the District Manager and without a public review.10

The outfitters, again referring to the report to the Minister, expressed their concern about this fact:

We are concerned about the way in which the Plan may be changed and /or amended ... Major or significant changes are to be made "by a process similar to the overall planning process," but it is not clear what "similar to" means. Our fear is that it will be up to the District Manager to decide upon the process and whether it is good enough. This gives the District Manager far too much discretion and offers those who may be affected by a change far too little protection. We are also concerned about the criteria used to determine whether an amendment is major. Instead of using a definition that is precise and clear, the plan opts for one that is potentially ambiguous and thus a definition that seems designed to create future controversies and problems. We would like concrete examples of minor and major amendments.

But how much more public input should there be? As the District Land Use Plan was being prepared, there were only a few open houses and public meetings, and the last public meeting held with Pope was only scheduled for two hours... and held in Timmins.

There was ample opportunity for written submissions to be sent to the Minister or the District Manager, or at least that is what the MNR has argued so far. In fact, the Plan's Proposed Policy and Planning Options only came out in June of 1982, giving people only one month to read and digest the information even before considering any sort of a submission, as the public input deadline was July 7.

As well, public open house participation at the open houses was quite low. In fact, a large majority of those attending an open house in Cochrane on June 7, 1982 were MNR employees from other departments, the outfitters themselves, and representatives from the other resource users in the district, like logging and mining companies.

At that open house, one MNR employee admitted that "I don't think people realize how important this plan is." Others, including people outside of the MNR, said there had been little publicity about the open house and the plan itself and any publicity that did exist failed to stress the importance of the Land Use Plan.

The Outfitters have pointed out that they are aware of the plan's importance, and one outfitter, Loyde Rogerson, submitted his personal criticisms of the MNR's original Background Information Package for its Land Use Plan on April 12, 1982.

In the submission, which was sent to the Cochrane District MNR planner, Rogerson pointed out the inaccuracies in the plan, as well

as the problems caused by MNR through its own actions, or inactions, in the past:

(Re) commercial recreation... for future demands (page 127-129) you state that the need for expansion and development in the Cochrane area is not very high. Approximately 10 years ago, there were only approximately 12 outpost camps, compared to your figures of 122 now. It would seem the expectation for future demand should be higher, rather than lower. Also on page 129, I disagree with your predictions on future travel. In West Germany, where the price of gas is...high... tourist travelling has risen. Please note the folder offered to the public by the Canadian Government Office of Tourism (which) states "Tourism is big business...tourism generates an income of 14.8 billion (dollars) per year for Canadians, (and) over five per cent of our Gross National Product."12

His points were also noted by the manager of the Cochrane-Temiskaming Travel Association, Guy Lamarche, in February, 1982 newspaper story:

Northern Ontario will be the big winner as the tourism industry continues to grow, says...

Lamarche. Tourism put \$1.8 billion into the North's economy in 1981. Some \$200 million was generated in the Cochrane and Temiskaming Districts, Lamarche has told (Timmins) city council. I "strongly believe that tourism is the industry for the '80s and that Northern Ontario will be at the heart of Ontario's tourism experience," Lamarche said. 13

LAND USE PERMITS

However, in his submission to the local office, Rogerson noted that "it appears the MNR is either unable or unwilling to properly provide for the needs of our (tourism) industry," and added a number of other key issues that exist in land use planning:

Your report states that the timber industry already has a 20 year agreement. They now know what can be done in the future and plan accordingly. There is no guarantee for the outfitter of any kind in the report, except a one-year lease. The timber areas are designated! The parks areas are designated!

The future cabin areas are designated! The trap lines are mostly all designated! Is there going to be an area designated for the commercial tourist operator from year to year —renewable only if the (MNR) department approves the lease? What incentive does the outfitter have to build good, permanent camps if there is no long term guarantee that there will be a place reserved for him?

At the moment, as stated by Rogerson, all outfitters have land Use Permits for their sites, which are only good for a year at a time. However, again as Rogerson pointed out, the lumber companies currently enjoy 20 year leases, which is confirmed on page 3, section 2 of the standard Forest Management Agreements that already exist with the companies now operating in Northern Ontario.

Besides the contrast between the one-year land use permits issue to the outfitters and the 20 year leases given to the forest companion other conflicts are created.

In a letter to the Minister of Natural Resources dated Nov. 12, 1 and signed by Rogerson, Veverka, Konopelky, and a representative of Abitibi Lodge, the outfitters brought up some of the issues:

Through advertising and sport show efforts, we bring into the Cochrane area several million dollars per year, all by using a renewable re-Our concern lies in the fact that with all our investment, and years of promoting the Cochrane North area, we have only a year-to-year guaranteed lease that can be cancelled at the say of almost any civil servant. We object to the logging companies clear-cutting right to most of the waters' edge, and the building of all weather roads to every lake that has our cabins on it, with no regard for the outfitter within the area. We are only looking towards the future of Cochrane North tourist outfitters (as) we know if this renewable resource is properly managed, that the tourist outfitting business wil continue to bring dollars to the Cochrane area and also create employment for years to come. It is predicted that in less than 10 years, the tourist industry will be Ontario's number one business.

The outfitters have pointed out on numerous occasions in the past that two things are needed in land use planning to guarantee that their business will continue.

As mentioned above, a year-to-year Land Use Permit hardly gives any outfitter a sense of security, so a longer term lease should be considered by the MNR. However, a longer lease, even one 20 years long, would fail to solve the problem if the logging companies continue to create access to the remote areas the outfitters are now operating in with logging roads, just like the ones discussed by Bob Rife in his column presented in part at the introduction to this part of this report.

In a second letter to the Minister, this time also signed by
the Mayor of Cochrane, Ray Fortier, and the President of the
Cochrane Board of Trade, Clive Dorland, the outfitters again pointed out the problem:

We are in a unique situation, as the northeast Cochrane District has only a certain number of lakes (left) with no others in the area. What with the new Detour Lake road going through the centre of the lake area, and the logging roads spreading through a large area, this leaves very little for the outfitters to rely on.

Peter R. Spik, a consultant for the tourism industry, also addressed the issue in a letter to the Cochrane District Manager of the MNR dated July 12, 1982:

We view the formulation of Land Use Policy as a highly commendable project as it will assist in the orderly utilization and development of the provinces' limited natural resources. Your concern for commercial tourism and efforts to integrate it into the district plan are admitable...tourism (is) a significant force in the economy of both the district and the province as a whole.

As you are aware, one of the most contentious issues in the district is commercial outposts vs. access roads and forestry...the resolving of this issue in the District Land Use Plan is a necessity. Therefore, we recommend either implementation of more prohibitive guide lines for access roads near commercial sites or the offering of new sites to replace those which lose their remote character through accessing.

NO GUIDELINES ?

The Outfitters are concerned because the forestry industry has shown a distinct lack of respect for the already existing guidelines. According to a recent Timmins Press article:

Konopelky and Veverka say a number of their remote camps have already been ruined because the roads put in by the forest product companies have made access available to anyone with a vehicle. Konopelky said ..."I think he (the Minister of Natural Resources) is being led down the garden path by his Ministry office in Cochrane. The Cochrane people are just not taking a sincere interest in the tourist outfitter. They'll do exactly what the logging industry tells them to do.

In a subsequent article, Konopelky added:

There isn't anybody in the Cochrane Natural Resources Office with an ounce of backbone to tell the logging companies where to get off. I've lost hundreds of thousands of dollars because of a road that was put in illegally by a paper company. While the government was negotiating with it to permit it to build the road in two years, the company was thumbing its nose and building the road.

Rogerson has had his share of problems as well. In a note for file written Sept. 2, 1981 by Ruth Burkholder of the Royal Commission on the Northern Environment, this point is made:

He (Rogerson) stated that MNR phoned him to explain that Abitibi-Price were building a logging road to within 40 feet of one of his cabins and would Loyde cancel his lease. Loyde apparently stated that they could not legally do that; they must stay at minimum 400 feet and Wright's (Frank Wright, MNR District Manager) reply was: "Oh, you know about that." Loyde refused to cancel and also to meet with MNR and Abitibi-Price. so the road has been built one-quarter of a mile away ... Mr. Rogerson also stated that Abitibi-Price is clearing right to water's edge on lakes and has never seen this done before. He feels they should be leaving the 400 foot allowance for trees, re: erosion. He states MNR is trying to enforce a 2000 foot allowance, but that Abitibi is clearing right to waters' edge.

(Note: the 400 foot allowance is the guideline mentioned and suggested in the Affleck report, an operating guideline for locating forest access roads and managing forest reserves that was published by MNR in late 1979.)

So, it is obvious that both an extended Land Use Permit and more stringent controls on logging operations and its access roads are needed. One solution is useless without the other. That is, if the outfitters do succeed in getting access roads limited, they would still be working under the uncertainty of a year-to-year Land Use Permit. On the other hand, a 20 year Land Use Permit is fine, but without better controls on access roads, it will be just as useful as the existing permit.

RESOURCE OVER-USE

First of all, what is the harm in creating a few access roads, the average tourist might ask. The fact is, there is a danger of opening up a previously remote tourist area to anyone with a land vehicle. At an Oct. 8, 1982 Cochrane Tourist Outfitters Association meeting, outfitter Joe Veverka pointed out that:

Our kind of tourism brings in more money to the area...there is less impact on (the) environment. We stay in one place, and these people (with access) will be able to go anyplace. There's no supervision. We're under contract, and our camps are inspected by MNR, (Ministry of Industry and) Tourism, and the (Porcupine) Health Unit...campers will come up with everything they need. They won't spend any money in Cochrane.

At the meeting, the problem of resource over use was also brought up, and Veverka felt that with suddenly unlimited road access, the lakes will all be fished out and empty after four or five years."

In the above mentioned Timmins Press article, Konopelky echoed Veverka's sentiments:

For the sake of a misplaced pop bottle that can be called littering, they can put us out of business...tourism is extremely important to Cochrane. The town recognizes it, why can't the government? Their Cochrane Land Use Plan runs for 148 pages, and tourism is mentioned in one paragraph. The tourist industry, particularly tourist outfitters like us, don't go in and dig up gold and cut down trees and then go away. We're here—and we are a renewable resource. Each one of the 2,500 tourists we ferry in and out of our camps spends a minimum of \$1,000. In return, we operators spend the bulk of that money right in Cochrane for fuel and supplies and service.

However, the totals may even be higher than his own estimates. According to figures supplied by the other outfitters, Lindbergh's Air Service, owned by Rogerson, had 104 men over 14 days in 1981 for hunting, with 1,100 fishermen between May 23 and Sept. 15 the same year. Veverka, who owns Cochrane Air Services, said he had 200 hunters during a period of 14 days in 1981 with 1,700 fishermen from May 23 to Sept. 15. Both men have also said their business has not gone down noticeable since them, and Rogers

added that he has not laid off a single employee. 16

In the brief to the Minister of Natural Resources, all three outfitters said:

Our business is, as you know, flying tourists into remote, isolated fish and hunt camps ... (Our) services depend for their success on remoteness, and an undisturbed environment, together with isolation. Tourists are not pleased with a situation in which they find "their" remote lake shared with others, particularly others who have easy road access to the lake... Because our customers are purchasing access to certain renewable resources, namely fish and wildlife, it is important that these resources be readily available to them. This, in turn requires that tourist outfitting areas not be overfished or overhunted and that other activities in the area, particularly forestry, be organized so that these renewable resources are enhanced, rather than jeopardized. More specifically, forestry access roads and logging must be carried out in such a way that it does not provide access to tourist outfitting areas and that it enhances moose habitat, while not impairing fish habitat ... In spite of our success this past season, our industry is on the edge of extinction.

Oddly enough, the Minister of Natural Resources, Alan Pope, agree with most of the comments made by the outfitters at a special meeting held in Cochrane on Oct. 29, 1982 between Pope, local MNR officials, the outfitters, Cochrane Mayor Ray Fortier, and Cochrane MPP Rene Piche.

"I understand the problem, " Fope said, adding:

There should be better protection for the tourist outfitters...this (industry) could be ruined and then there would be nothing. Something should be done to protect them. We do have some control throughout forest management agreements, (but) our policy has been to have forest access roads constructed to meet requirements for reforestation in Northern Ontario. I do want some more stringent controls (and) see it reserved for remote wilderness. This is a must.

Pope expanded on his comments during a sub-

sequent meeting with Cochrane town council the same day.

These conflicts aren't new, we're (still)
trying to work on this. The outfitters think
we don't have a proper access road system,
and they're right. We've started on it, but
it's hard process, though I have a gut feeling that a lot of the issues will be resolved.
I'm close to making some decisions.

At the earlier meeting with Pope, the outfitters came up with a number of other points. Konopelky urged Pope to preserve the area in question, not just for the outfitters but for people in general as well. He and Veverka agreed that there is room for everybody, and Konopelky added:

We have to come up with a scheme. There's room for logging and mining. They just have to change their attitude, or in 10 years you won't have logging either. We're not saying stop the logging...there has to be a way to control it...some access roads were put in five years before the logging began. We only would like what we think is fair and reasonable. They should eliminate the roads once they are finished seeding (i.e. reforesting). You (Pope) have a chance to save this area, and I strongly recommend that you do. There is absolutely nowhere else to go. This is the last frontier.

Rogerson told Pope that a longer lease would give the outfitters initiative to build better camps at their sites.

LEASES

But how can a longer lease be established? According to
the West Patricia Land Use Plan Background Information Package,
the Land Use Permits currently being issued to the outfitters
"grants only the right to use the land for a sprcific purpose
and a limited period of time." On top of that, a Land Use Permit
"in the hierarchy of land tenure documents, (is) the lowest or
"weakest" authority granted.

Leases, on the other hand, are starkly different:

A lease is a means whereby land is disposed of for a specified period of time. Several types of leases are issued for various purposes by the Ministry of Natural Resources. Some leases may contain an option to purchase. Leases are most often issued for various commercial purpose including mining operations and cottaging.

Thus, a lease would certainly be better for the outfitters than the present Land Use Permits. Again referring to the West Patricia Land Use Plan, mining leases, to use an example, are of two types:

(1) Ten year leases, previously issued for land in former provincial forests are renewable as long as lease fees are paid; and (2) Twenty-one year leases are presently being issued and are renewable at the discretion of the Minister of Natural Resources.

However, the MNR could argue that the leases are not applicable to outfitting camps, in which case there is a third, little-known alternative: licence of occupation

A licence of occupation permits the use of a defined area of public land for a specified purpose at the pleasure of the Crown for an endefined length of time. A licence is also subject to cancellation at the request of the licencee. Licences are used therefore, in cases where the length of time for which authority will be required is not readily ascertained. Licences of Occupation are commonly employed to authorize the occupation of Crown land and land under water for pupposes such as docking facilities, boathouses, shore protection works, community service facilities, missions and energy transmission lines.17

A licence of occupation for a tourist outfitter would set a precendent, but a number of predendents will have to be made to clear up the problems now facing the commercial tourist industry when it comes to land use planning. However, the MNR could also change the time limits on Land Use Permits for a different solution.

Both Pope and the local MNR office have shown they are aware of the problem. The Cochrane District Land Use Plan: Proposed Policy and Planning Options illustrates this point in its section on Resource Problems and Issues:

Conflicts inevitably arise when a variety of continual demands for resources are placed on a limited amount of land and water. It is this type of demand situation which makes it necessary to develop comprehensive land use plans that allocate land use and resources in an efficient and equitable number...Conflicts arise between different recreation user-groups utilizing the same resource. Specifically, there are conflicts among Crown land campers, cottagers, tourist outfitters and the logging industry.

However, little is done for the outfitters in the plan options themselves. One of the two options (option one) does have a designated area known as Area Number 6 which, according to the plan itself, has a land use priority directed toward "the promotion and limited expansion of the commercial tourist industry, i.e. outpost camps." However, the next paragraph adds that commercial tourism will only be encouraged on designated outpost lakes (page 61).

The area, also known as the Wakwayaukastik River Area, has not even been totally set aside for the outfitters, a fact the outfitters themselves fully realize. According to the plan, "mineral exploration will be encouraged (in the area) with a minimum of shoreline disturbance." The plan also adds:

Exploration camps will not be encouraged to locate on lakes with a commercial tourism role. If this is not possible, exploration camp applications will be reviewed on a caseby case basis for locations on designated outpost lakes.

Option two of the Land Use Plan offers even less for the commercial tourist outfitter. Area number six has not been included in this option, and has been replaced by the far larger area known as area number eight— Northern Resource and Commercial Recreation Area. However, for commercial tourism, the guidelines are clear:

Commercial recreation (outpost camps) will be encouraged only on designated lakes...forestry activities will be permitted (and) mining exploration will be encouraged. Roads will generally be permitted.

The outfitters have agreed that the MNR options have left them with very little, and that something new must be done instead... and soon.

FOOTNOTES

PART 1

- 1 Bob Rife, Comment, Globe and Mail, Sept. 23, 1981.
- ²C.P. Felber, Notes from Meeting, Oct. 8, 1982.
- 3Richard Buell, Timmins, Daily Press, June 5, 1982.
- 4R. Burkholder, Note for File, Sept. 2, 19821.
- 5 Richard Buell, Timmins Daily Press, June 8, 1982.
- ⁶Jack Phillips, <u>Letter to Royal Commission on the Northern</u> Environment, Aug. 24, 1982.
- 7 Richard Puell, Timmins Daily Press, June 8, 1982.
- Canadian Environmental Law Reasearch Foundation, The Legal and Administrative Basis of Land Use and Environmental Decision-Nakng North of Latitude 50° -- A Guidebook and Selected Observations pages 170-171, March, 1980.
- 9Richard Buell, Timmins Daily Press, June 5, 1982.
- Ninistry of Natural Resources, <u>Cochrane District Land Use Plan:</u>
 Proposed Policy & Planning Options, Page 5, 1982.
- 11 C.P. Felber, Notes from Meeting, June 7, 1982.
- 12 Loyde Rogerson, <u>Letter to Mark Del Monte</u>, <u>Ministry of Natural</u> Resources, Cochrane District, April 12, 1982.
- 13 Timmins Daily Press, Feb. 19, 1982.
- 14 Richard Ruell, Timmins Daily Press, June 5, 1982.
- 15 Richard Buell, Timmins Daily Press, June 7, 1982.
- 16_{C. P. Felber, Notes from Meeting}, Oct. 8, 1982.
- 17 Ministry of Natural Resources, West Patricia Land Use Plan Fackground Information Package, 1981 (?).

PART 2

DETOUR LAKE ROAD

The history of the now renowned Detour Lake gold mine access road is a long and sordid one. It all began in 1975 when Amoco Canada Ltd. discovered gold. A large body of mineralization was discovered approximately 90 miles northeast of Cochrane and about eight miles from the Ontario-Quebec border. (See map 2.) Initial studies confirmed that the gold ore reserve at the site was one of the largest in the country.1

In 1976, environmental studies of the area began, and then in 1979, Amoco decided to invite other companies who were familiar with gold mining to participate in the gold mine development as partners. Dome Mines Ltd., the parent company of Campbell Red Lake Mines, was selected and welcomed into a joint venture agreement. Campbell Red Lake Mines would act as the operator for the work program for the mine development.

The initial development plan called for a production target date of October 1983. The construction schedule called for basic series to be installed in 1981, major construction in 1982, and construction of milling facilities to start in 1983. Campbell's Annual Report for 1980 said:

Capital expenditures prior to start-up in 1983 are estimated to be \$143,000,000.

At first, the 12,500 acre mine site was only accessible by winter road from La Sarre, Quebec, and by float/ski plane.

According to the Royal Commission on the Northern Environment's report on the Detour Lake road, Amoco Canada made a formal request to the Minister of Natural Resources for financial assistance in constructing a road to the site of the proposed gold mine, as early

as March of 1978.

Shortly afterwards, other options were investigated:

In initial discussions between (the) joint venture and Ontario government officials, a number of options were identified for transporting goods and workers. These included: flying in and out with a nearby town as a base (Cochrane, Timmins, Kirkland Lake, La Sarre); surface transportation to and from a dormitory community (again, Cochrane, Timmins, Iropuois Falls, La Sarre); establishing a townsite at or near the site. Neither join venture nor government officials favoured the townsite option because of high costs and isolation effects... The joint venture disapproved of the air option because of the dependence of aircraft on weather conditions. This left surface transportation as the favoured option. It was clear that the joint venture wanted a road to the mine site, but with no apparent preference; a road to either province would do 2

MEETING HELD

The first of a number of inter-ministerial meetings was held on July 6, 1979. A summary of the meeting was outlined by a Ministrof the Environment official's notes:

Access to the site through Ontario will likely cost \$15 million more than access through Quebec; there is a general consensus that most of the facitlities, including labour, are on the Quebec side and only the mine itself is located in Ontario; based on the proposed job creation, the cost; to Ontario ot fund a road would be in the order of \$30,000 per job.

However, the road idea was pursued anyway. The Royal Commission Report noted:

Access to the mine consequently became one of several reasons for building a road in this part of Ontario. The major justification for a road like this appeared to be the potential for resource development on a regional scale, with all the economic benefits that this implies.

A hint of what was soon to follow appeared in a memo dated Dec. 21, 1979 from the Deputy Minister of Northern Affairs in which he said that there were "certain urgencies associated with this (Detour Lake road) project." The first meeting of the formal Detour Lake Mine Interministerial Committee was held thereafter, on Feb. 21, 1980.

During the initial arguments over who would pay for and be responsible for what part of the project, the first mention of the

Environmental Assessment Act appeared in a memorandum from the Deputy Minister of the Ministry of the Environment to the Deputy Minister of Northern Affairs, dated May 13, 1980:

> During the last meeting (held April 17, 1980) this Ministry was requested to explain the requirements for an environmental assessment on the project and on the expected access road from the Cochrane area to the project site more than 100 kilometres in distance. We accept that the actual mine site development, being a private sector proposal, does not at present come under The Environmental Assessment Act requirements. However, the access road is presently subject to the Act. I would like to draw your attention to the fact that MOE (Ministry of the Environment) and other Ministries became involved with the above undertaking as far back as 1973. The necessity for an environmental study/ assessment was discussed from the onset of the project... In view of the above long history of environmental studies, I am rather surprised that questions on applicability of the Act are being raised by members of your staff at this late stage. This should also be viewed in light of the recent assurances from Cabinet about this Government's committment to the immediate implementation of the Environmental Assessment Act. Given the involvement of the Crown in the provisions for access road, the access road is subject to the Act.
> When one considers the potential environmental impact of over 100 km of a road, the history of available studies and the planning implication of trying to tie this road to either present or future developments

in this area, we see no reason to consider an exemption of this road from the Act... With the involved Ministries taking immediate action to prepare such an assessment now, the need for an exemption or other means to bypass the requirements of the Act will be avoided... I would therefore urge you to take the action necessary to initiate the required environmental assessment.

Thus, as early as May of 1980, those involved in the Interministerial Committee became aware of the fact that the Detour Lake access road, if built in Ontario, would fall under the Environmental Assessment Act.

DECISION-MAKING ACT

Without going into too much detail or repeating any information presented in this report's chapter on the Environmental Assessment Act (EAA) itself, the Act can be simply described as "The Decision-Making Act," as one environmental planner with the Missistry of the Environment remarked.

The Royal Commission's report on the Detour Lake road pointed out that:

The main objective of the Environmental Assessment Act, essentially, is to improve the process of decision-making.

After the May, 1980 memo from the Deputy Minister, things began to fall into place:

August, 1980:

Ministry of Transportation and Communications was assigned responsibility of proponent, as defined in the first section of the EAA;

August 11, 1980:

Consultant officially engaged to carry out assessment studies:

September 12, 1980:

MOE (Ministry of the Environment) submitted guidelines

for the preparation of the environmental assessment to the proponent.

November 21, 1980:
Informal meetings held with consultant, outpost operators,
and Ministry of Industry and Tourism. Even before the Nov. 21,
1980 meeting, the provincial government was warned of the possible impact the Detour Lake access road might have on the commercial

tourist outfitters.

A letter from the Northern Ontario Tourist Outfitters Association was to the Provincial Secretary for Resources Development, and dated Oct. 20, 1980:

It has come to our attention that MTC's proposed new road to the Detour Lake Mine, northeast of Cochrane, was planned without consultation. Further, it is our understanding that one third of the commercial outpost permits in the Cochrane Region will be adversely affected by this proposed routing. We also have information that an all-weather road now exists, which comes within 44 miles of the mine site, the extension of which would not detrimentally affect these licences. There is no need to explain the value of tourism to Ontario's economy, and the jobs and income it provides directly to the residents of the Cochrane area. If MTC's proposed routing is allowed to proceed, not only will it have a devastating affect on those operators with outpost permits in the area, but it will cause every entrepreneur to take a long, hard look before investing any further in the tourism economy of the Cochrane area...Before Ontario loses these outpost operations forever, we implore your office to use the route extending the existing road, basing your decision on both cost and resource management factors.6

The outfitters themselves expressed their displeasure at not being consulted during the preliminary decision-making stages.

On Nov. 12, 1980, Rogerson and Veverka, two of the outfitters mentioned in the preceding chapter, met with the Cochrane District Manager of MNR.

Following that meeting, the District Manager sent a to the Regional Director of the MTC, dated Nov. 14, 1980:

Both of these gentlemen...were quite upset that they had not been contacted by either your staff and/or your environmental consultants. From their point of view, the proposed road would have a profound negative effect on their business. Consequently they feel they should have an opportunity to input on the final location. They emphasized they were not against access to the mine, but would like an opportunity to coexist with the development...I have the impression that they are quite willing to participate and cooperate in this exercise and would welcome contact by your staff or consultants.

The president of the Cochrane Board of Trade also sent a letter before the Nov. 21, 1980 meetings. The letter was sent to the Provincial Secretary for Resources Development who, ironically enoughwas also the MPP at the time for Cochrane North:

It is our understanding that of the several routes being considered, preference has been expressed for a route that will traverse an area which is studded with well-stocked fishing lakes and probably is the only remaining section of this part of Northeastern Ontario suitable for the continuation of a viable tourist outfitter industry featuring outpost camps in a wilderness setting. Therefore, it is respectfully requested that consideration be given to the alternate route under study, which would not have a detrimental effect on the local tourist outfitter industry. I might add that this industry is of considerable economic benefit to the Town of Cochrane and area. It is our understanding that the difference in mileage between the two routes is minimal.8

On Nov. 24, 1980 another Detour Lake Mine Inter-Ministerial Committee meeting was held, and according to a memo on the meeting:

MNR reported that meetings were held last Friday (Nov. 21) with the outfitters involved. The outfitters request is to keep public access to lakes to be minimum.

NO INPUT

Thus it is obvious that the outfitters did try to get their point across in the early stages, but to no avail. In fact, the outfitters were misled, especially by the Environmental Applications Group Ltd., a consulting firm specializing in biophysical research which signed a Memorandum of Agreement with the MTC on Aug. 11, 1980. Under the agreement, EAG Ltd. was to conduct an environmental assessment of the road undertaking, and to prepare an environmental assessment (EA) document as required by the EAA. As the Royal Commission's report on the Detour Lake road pointed out:

MTC was to submit this document to the Ministry of the Environment by Jan. 1, 1981. The consulting firm had less than four months to do a task that MTC sources estimate normally requires up to two years. It is questionable whether an environmental assessment for over 100 km of road, through a remote area of difficult terrain, can be done in four months...The time available for doing the environmental assessment could have been extended and made more productive if certain responsibilities had been fulfilled on a timely basis.

The President of the Environmental Applications Group Ltd. met with one of the outfitters, Joe Veverka, in Timmins in November, 1980, and shortly afterwards sent him a letter:

It was a pleasure to meet with you...to discuss the environmental studies currently being carried out by us for the proposed Detour Lakes Access Road. As we discussed, the concerns of the outpost camp operators were taken into account throughout our studies and your interests have always been included in route selection options. The district office of MNR has consistently re-enforced our appreciation of the concerns of local outfitters...Amongst the 20 or so concerns that we have considered as important are the following: Protection wherever possible of the interests of local out-fitters operating fly-in camps in area; (and) consideration of the location of all remote cottages/cabins during alignment selection. 10

In the letter, he also promised to re-examine the present alignment with reference to the modifications indicated by the outfitters in order to reduce impact on their business, and even added:

I feel certain that all of these changes can be included in the final design.

The President of the EAG Ltd. also sent a letter to the Ministry of Industry and Tourism the very same day, in which he said:

The interest of these...operators will be seriously included in our impact analysis and in the final route selection. It

Even the Provincial Secretary for Resources Development offered personal reassurances to at least one of the outfitters involved, Joe Veverka. A letter dated Nov. 14, 1980 was sent by the Minister to Veverka, and in it the Minister said he alerted both the MTC and the Ministry of Northern Affairs to the concerns of the outfitters respecting road locations, and added:

Once a route has been selected, an Environmental Assessment would have to be made and a public hearing would likely be held, at which time those interested in the route would be able to express their objections. 12

The Minister also said in the letter that locations of the road would also be undertaken to minimize the impact on remote outpost camps.

COCHRANE MEETING

On Dec. 15, 1980 meetings were held with representatives of the various Ministries and Cochrane Town Council.

One MTC official said:

The reason we asked (the consultant) to call this meeting is if any one of you have serious reservations about that line on the map. The EA document will go to MOE (Ministry of the Environment) the first two weeks in January (1981). We have had to scramble and do some work by phone. We felt we Minimized the impacts as best we can...If we have to build, and when we do, changes down the road just won't be available.13

A public information centre was held in Cochrane on Dec. 16, 1980, and some of the outfitters were less than pleased with the result. Veverka contacted the Provincial Secretary for Resources Development and received a reply, dated Jan. 7, 1981:

You spoke to me during the recent holiday season concerning your dissatisfaction with the recent public meeting on Detour Lake road access. I am informed...that the outfitter's concerns will be taken into account by MTC in their environmental assessment presently being prepared...

The environmental assessment process encourages the integration of public concerns during the assessment process rather than awaiting reaction at a later stage.

The outfitters will be able to examine the government review to determine whether their concerns are adequately reflected and treated in the assessment, and make any submissions they may wish during the 30 days following the publication of the review.14

Of course, that's not the way it worked out at all. On Jan. 16, 1981, MTC submitted its environmental assessment document prepared by EAG Ltd. to the Ministry of the Environment. The document was then sent out to other ministries, groups, and individuals for response.

Meanwhile, on Jan. 21, 1981 the joint venture announced plans to proceed with construction at the mine site. Just two days later, on Jan. 23, the following news release was sent out:

TORONTO--Northern Affairs Minister Leo Bernier and Resources Secretary the Honourable Rene Brunelle today announced the awarding of a contract to begin construction of the Detour Lake Road. The successful bidder is Gaston H. Poulin Ltd. of Hearst. Value of the Contract is \$289,190 for clearing from 21.5 km north of Highway 652 northerly for 34.5 km. The Detour Lake Road will service the development of a new gold mine by Campbell Red Lake Mines Ltd...Mr. Brunelle said the government has been working closely with the company for several months on the preparation of a development plan. "I am delighted that the company has now made a final decision to proceed with this mine. It will have a very significant impact on the whole economy of northeastern Ontario, " said Mr. Brunelle.

On Jan. 28, 1981 a work permit was issued through the MNR to the Hearst contractor for land clearing of 37.5 km of bush, not 34.5 km as announced in the above news release.

In any event, responses began to come in during this time on the EAG Ltd.'s Environmental Assessment Report. One such review, dated Feb. 19, 1981 came from the policy co-ordinator with the Ministry of Industry and Tourism:

In our view, the EA Report has provided no evidence or estimates to support the claim that "justification of the need for the project includes...increasing the area's tourism revenues" (see page 6 of the summary statement). The report indicates correctly that the road will result, among others, in the following developments (see page 1 of the summary): (3.) "Increase use of the region ofr day use and tourist recreation utilizing the sports fishery, hunting lake shoreline facilities. Possible expansion of cottage develoment on selected lakes. (4.) Increase regional tourism by provision of transportation corridors to wilderness areas, potential park systems, general road tourism..."15

The letter from the Ministry of Industry and Tourism added:

It is doubtful, however, whether these developments will help to "increase the area's tourism revenues." There is indeed the danger that an existing source of tourist revenues, namely that associated with fly-in tourist operations will be undercut... Thirty Land Use Permits (LUP's) have been issued by the Ministry of Natural Resources to these outfitters in the area of concern. Once this isolated environment is destroyed by close road or rail traffic ... the adventure aspects of wilderness tourism have lost their appeal. We wish to stress that the envisaged increase in "road tourism," meaning unorganized Crown land camping, hunting and fishing, constitutes a type of tourism that brings much smaller benefits in terms of the area's income and employment. It is also destructive of the higher income types of tourism. such as fly-in operations.

The Ministry recommended that the road be constructed out of sight and sound of all Land Use Permits, and that all access roads be closed to the public by gates and proper signing to prevent the road tourists' incursions into Land Use Permit territory.

But what of the outfitters themselves? Veverka said they asked for the Detour Lake road to be moved further east of the route which was chosen right from the start. In fact, the outfitter's suggestion was, at one point at least, one of the access road route options, known as route known as number four on the enclosed map was the one that was eventually picked, with a number of subtle variations, including using route number one as the actual starting point.

ROUTE NECESSARY

At the time, Veverka and the other outfitters were told that the route which was eventually chosen was necessary because of the eskers in the area, which would make the road construction easier. The outfitters, according to notes taken at a meeting held Oct.8, 1981, were also told that the soil along the route would be used as a road base.

Veverka warned them that the soil wasn't suitable for a road base but, in his words, "they ignored everyting." Rogerson said that "everyting was pushed aside" and that "we don't want this to happen again." Veverka and Rogerson agreed that the proposed road access route was drawn on the map in 1980 and was never changed. As map 4 shows, the road does indeed cut right through the prime commercial tourist outfitting area.

In a newspaper article, Veverka said:

I can't believe that the route they chose for the road to Detour Lake was the best one available. There's no doubt in my mind that they deliberately put the road where they did so the public could have road access to some of the most beautiful scenery and finest fishing in the area. I've lost seven remote camps because they put that road in. Loyde (Rogerson) and Steve (Konopelky) have lost four each. They're putting us right out of business.17

According to the Royal Commission on the Northern Environment's own report on the road to Detour Lake:

A number of outpost camp operators pursued their own interest in having the road alignment moved further away from some of their camps...The road alignment suggested in the EA Report did not please the outfitters, since no changes in the preferred alignment, selected in late 1980, were made to accommodate their interests...A local conservationist said he discussed a number of points with the government officials and consultants at the (Dec. 16, 1980) Information Centre in Cochrane, but he had this to say about it: "...we did bring a lot of things to their attention, and

they said that they would pay heed to it... (but) I got the strong impression that the map was down there and this was it, and any argument I and against where it went was kind of 'you don't know what your're talking about'...

Grand Council Treaty #9 also objected, with a letter dated Feb. 9, 1981 to the Royal Commission on the Northern Environment:

Grand Council Treaty #9 has issued notice today to the Premier of Ontario demanding an immediate moratorium on (the Detour Lake Access Road) project for the following reasons: (1) The Province of Ontario is in breach of its own legislation by virtue of the Brunelle-Bernier announcement of the granting of contracts for the building of the access road prior to the 30 day public notice based on the assumption that there was no obious opposition to the project. As such, the Province of Ontario is guilty of gross arrogance and by its actions, has clearly established that the Environmental Assessment Act and process is a sham and only serves to better the interest of both the Governments and developers ...

On Feb. 26, 1981, the Provincial Secretary for Resources development wrote a letter to the Minister of the Environment:

An environmental assessment has been carried out and I am satisfied that the proposed road will not adversely effect either the environment or the tourist camp operators...I have had a chance to read the EA report and I consider it has dealt exhaustively with the concerns expressed by the camp operators... I don't think we should spend more time on an Environmental Assessment Board hearing. On this basis, I would no longer recommend the concerns mentioned would justify an Environmental Assessment Board hearing. Accordingly, I do not feel it is necessary that an Environmental Assessment Board hearing be held on this issue.19

EXEMPTION GRANTED

Why the Resources Secretary wrote the letter is somewhat of a mystery, as the whole road project was exempted from the requirements of the Environmental Assessment Act with an Order-

in-Council for an Exemption Order on Feg. 11, 1981:

The main points of justification for this action were the following, paraphrased: The Ontario government has made a commitment to provide access to the Detour Lake site, subject to the environmental assessment being approved; the road alignment must be cleared to ensure that 150 km of road can be completed on schedule by the time the mine becomes operational; clearing has to be done in winter to avoid fire hazards; the road alignment being cleared is within Abitibi-Price forest lease limits; Abitibi-Price plans to harvest the trees that are being cleared anyway, and the Ministry of the Environment is satisfied that the trees will be properly used; The clearing will not disturb the ground very much; The environmental assessment for the road has been submitted to the Ministry of the Environment; (and) the clearing will allow advanced soil investigation to be done for determining 20 erosion levels and mitigation required.

The point underlined above is one that has seen little mention ... Abitibi-Price mentioned to the government that it plans to harvest the area in question within the next five years anyway (see map 1).

As discussed earlier, this area is one which includes 30

Land Use Permits issued to the Cochrane outfitters. It is therefore obvious that the threat from the forest industry and their own access roads would even have applied to this area, had the Detour Lake road not gone ahead.

But the Detour Lake road controversy did not end with the Feb. 11 exemption order:

March, 1981:

All ministry responses to environmental assessment document received by Ministry of Environment. Most responses raised serious objections, calling into question the document's

adequacy for reaching a decision to approve, modify, or reject the road project;

May 1981:
Road construction was scheduled to begin;

May 20, 1981:
The flawed assessment document withdrawn by Ministry
of Transportation and Communications for revision, but no
official review of document issued;

June 5, 1981:

Ministry of the Environment received revised environmental assessement document from MTC, and sent it out to only a limited number of ministries for response by June 19, 1981;

June 16, 1981:

Response to revised document sent to Ministry of the Environment from Ministry of Industry and Tourism.

The response from the Ministry of Industry and Tourism is interesting in that it once again reminded the Ministry of the Environment of the problems, even with the revised Environmental Assessment Report:

The report...has not escaped a misrepresentation of the tourism issue with
respect to the area of the proposed Detour Lake Gold Mine access road, and we
feel obliged to correct the views expressed therein. Prior the the construction of the road, the area has
been and still is effectively serviced
by fly-in tourist operators who bring
fishermen and hunters to isolated outposts. This is a profitable industry
capable of continued existence for an
idefinite period of time. Road access
is a threat to the survival of fly-in
operators and it is doubtful if their
possible demise can be compensated by
land-accessed lodges catering to tourist.

The main long-term danger, however, is for the maintenance of fish stocks in the lakes accessed by roads. When overfishing occurs, the end of tourism is near. We therfore find it inaccurate in the report and misleading to quote tourism as one of the industries benefitting from the construction of the road. See the following passages (of the report): "...It has been also noted that the region has good potential for attracting tourists and residents to its many lakes and natural features, hence greater access should afford expansion in tourism and recreation activities."21

Yet, it didn't do very much good. On June 24, 1981, the
Detour Lake access road was exempted from further environmental
assessment requirements, and no review of the revised assessment
document was prepared by the Ministry of the Environment.

That effectively ended the whole Detour Lake road access issue. The road was cleared, construction began, and the outfitters lost their battle.

"They tore one business down to build up another," Rogerson said at a Cochrane Tourist Outfitters Association meeting on Oct. 8, 1982, echoing comments made at the Dec. 16, 1980 Information Centre in Cochrane:

We don't object to the road to Detour Lake. What we do object to is destroying one industry to start another. Tourism is the second largest industry in Canada, you know, and it's getting bigger. I just talked to (the consultant) and talked to MTC, and MTC said it's too bad that some people have to get hurt if a new road goes in. Nobody has control over the mine but the government has control over lakes and rivers and they should show some consideration for industry there, but so far they don't seem to be listening. I think MTC should bend a little bit; we're not against the road. I would like a bend made around Kattawagami (Lake).22

Of course, his suggestions were not accepted then, and they wern't accepted later, either. In fact, the Information Centre later proved to be a good example of how the public was misled and not allowed to have any influence in government decision-making on the Detour Lake road project:

The information provided at the public meeting reinforced the emphasis on regional development which was suggested by reference to "Northeastern Ontario Access." Maps, charts, and diagrams were displayed all along the walls, and most of these emphasized the potential benefits, particularly to the region, of this road...Disadvantages of the undertaking, such as loss of wilderness area and remote recreation opportunities, were only briefly mentioned ... (also) there was only one information centre, it was held late in the study, and the proposed route was already selected. The notice in the newspaper of the meeting stated at the end that "plans indicating the selected route will be on display." At this point, then, a route had been chosen, and the public was invited to see where the road would go and to comment on it ... The public, therefore, was not seriously encouraged to examine alternative routes, or in other words, to be involved in the selection process. It is questionable, moreover, whether any major or even minor realignments in the selected route could have been accommodated at this late stage in the planning process if any public objections had been raised.23

INPUT EFFECT

There was, of course, some input from the outfitters themselves and the Northern Ontario Tourist Outfitters Association (NOTO), but it is interesting to note the effect of this input on the Ministry of Transportation and Communications. Early in 1981, a regional official in MTC's Environmental Unit, Planning and Design Section, in a letter to the Royal Commission on the Northern Environment, wrote:

which the NOTO organization suggested and completed a benefit/cost analysis of those alternatives. Their suggestions were rejected as a result of higher costs and unsuitable engineering terrain, and no significant differences in environmental socioeconomic benefits...We feel that with the number of meetings held with the tourist outfitters, the information supplied and the analysis of the options at the early stages of the study...that we have adequately addressed the concerns of the outfitters and made as many changes in the alignment as are feasible. We feel we have given them every opportunity to participate in the study.

Some disagreed with that assessment of the public's role in decision-making. The regional director of the Northern Region with the Ministry of Natural Resources said "contact with the public was minimal and late in the process."

Brian Beaton of Sioux Lookout, in a submission to the Royal Commission on the Northern Environment, said:

The planning process involves a relatively small number of people and the resulting 'plan' will affect the majority of us. The future of our land, our livelihoods, and our children are out the stake (sic)...

Land is a gift given to us to co-exist with and protect. I feel there are better ways to inform the people other than (with) thick publications, forced reactions in an uncertain economic climate, short term deadlines to defend our land against a greedy machine, confrontations during ONE open house...Thank you for the effort, but I feel we've been had! The issue...seems

to have lost its importance to the confrontations and resulting emotions that
have been provoked between the two factionsthose who need the land in its natural state
and those involved in resource extraction.
Everyone is required to take a position, developing allies and enemies all in the same
breath. The alienation of people from each
other does not maintain a healthy environment!

Even the Premier of Ontario became involved. A letter was sent to him from the President of the Federation of Ontario Naturalists, and the Premier's response, dated April 8, 1981, was very interesting:

Thank you for your letter of February 16th...in which you raised several concerns over the Detour Lake Gold Mine Access Road project. For economic reasons and the availability of mining equipment, I am told that the (mining) companies had to set up a very tight schedule and, as a consequence, put the government in a position of either preparing a rushed environmental assessment or exempting the project from the Act ... I am advised that the range of alternative road alignments to Detour Lake was discussed by the Ministry of Transportation and Communications with the Ministries of Natural Resources and Industry and Tourism, and any concerns about existing or proposed parks are being considered. I am sure that an alternative that will give maximum. benefits at minimal costs will be selected ... Given that the gold mine operation is going ahead as scheduled, a delay in providing ani access road may cause more damage to Ontario than the opening of the road. I trust that the planning process taken to find an acceptable alignment for the road and define the necessary mitifation measures, provides an opportunity to initiate a new development for Ontario on one hand and minimize its potential environmental impact on the other.25 In effect, the Premier was saying the government was still looking at route alternatives after the MTC official, quoted above, said that the final route selection had been made. In fact, it has also been demonstrated that the route chosen in late 1980 was the one that the government stayed with, making only minor and trivial changes to it (see map 3 and map 5).

Even the Minister of Transportation and Communications, in a letter to the Royal Commission on the Northern Environment on the Commission's "Road to Detour Lake" report agreed that Northerners should be more involved in decision-making:

... In situations where pressures for development require the review process to be expedited to facilitate fiscal and scheduling arrangements, an outline of a modified review process involving review agencies and the public and fulfilling the requirements of the Environmental Assessment Act...would have served as an excellent comparison for the reader relative to the realities of the Detour Lake project, comprehensively outlined in the report. Hopefully, the Commissioner's recommendations relative to the manner in which Northerners can be more involved in decision-making on development affecting their lives will exemplify the need to apply and/or modify existing regulatory and decision-making processes so that environmental and social matters, as well as the aspirations of the residents of Northern Ontrario, are addressed in a balanced perspective. 26

TRANSMISSION LINE

But the Detour Lake access road was not the only part of the gold mine project that interferred with the tourist outfitters and the wilderness area in general. The Detour Lake power transmission line built from Island Falls to the mine site also had an effect, but in a completely different part of Northeastern Ontario (see map 6). A letter on the power transmission corridor was written by the District Manager of the Cochrane District Ministrycof Natural Resourfcs on June 30, 1981 brought out some of the difficulties the power line caused:

The district was not particularly impressed with the EAG (Environmental Applications Group) material...From an analysis of the proposed transmission corridor, four outpost camps will be directly affected...The power line will be visible and/or directly accessible from these lakes. The outfitters might argue that this will have the effect of destroying the romote experience offered by their camps. Also, the power line could provide overland access to the camps for snowmobilers. In addition to this, the outfitters could also argue that other camps close to the pwer line will be affected as they must fly over the power line to access their camps. If the camps are in close proximity to the line (i.e. two to five km), the feeling of remoteness that their clients are paying for may be lessened.

Yet the power line went ahead anyway. Another example of how input, even from other government ministries and agencies, was ignored and/or downplayed.

So why did the Ministry of Tansportation and Communications refuse to accommodate the outfitters and the other groups and people who expressed their negative points on the access read?

Part of the answer finally came out at a meeting held with government representatives and the chairman of the Royal Commission on the Northern Environment on Feb. 10, 1981—a day before the first exemption was granted, for the road clearing.

According to notes taken by a Royal Commission employee at the Toronto meeting:

MTC (does) have a public participation programme, although in the case of Detour Lake, because of the time constraints, they couldn't partake in same. They are not considering a bend in the road to accommodate the tourist outfitters. The necessary bend would add one million dollars to the cost of the road, which is approximately \$18 to \$20 million, the cheapest alignment. The final alignment was chosen not only to access Detour Mine but for access to future potential, MNR future parks, possibility of road to Moosonee, etc.

ROUTE ALTERNATIVES

As shown above, though, alternatives to the proposed route were never seriously considered or presented to the public. In fact, according to the Royal Commission's Detour Lake road report, the possibility of getting an exemption to avoid the long Environmental Assessment Act process was first discussed back in 1979:

Exemption from the Environmental Assessment Act was not a new idea in relation to the Detour Lake acces road. At the first informal Interministerial Committee meeting on July 6, 1979, the following questions were raised on the subject of environmental assessment, according to Ministry of the Environment representative's notes: "If a road to Ontario is funded at least in part by provincial monies will it. therefore, be required to go under the Environmental Assessment Act and if so, what would be the criteria for seeking an exemption? If the funding is under the NORT scheme,

(Northern Ontario Resources Transportation Committee) will it be required to go under the Environmental Assessment Act? Could such a road be included under the general exemption which the Ministry of Natural Resources has from the Environmental Assessment Act? The Committee's preference, as discussions progressed, and as the minutes indicate, was to have the road exempted from environmental assessemnt requirements. And their reason for taking this position was to save time, for an evironmental assessment adds may months to the time before a development can proceed.27

The Ministries involved obviously didn't wish to take those extra months...the problem is, those extra months would have given the government more public input, and the Environmental Assessment document would have also shown that the selected route was not as feasible as at first believed. Of course, what's done is done. As Omar Khayyam wrote in his "Rubaiyat of Omar Khayyam:"

The Moving Finger writes; and, having writ, Moves on: nor all they Piety nor Wit Shall lure it back to cancel hald a Line, Nor all thy Tears wash out a Word of it.

FOOTNOTES

PART 2

The Royal Commission on the Northern Environment, The Road to Detour Lake, An Example of the Environmental Assessment Process in Ontario, 1981, pg. 1.

² Tbid., pg. 7.

3Ibid., pg. 9.

4Graham W. S. Scott, Deputy Minister, Letter to A.J. Herridge, Deputy Minister, Ministry of Northern Affairs, May 13, 1980.

5RCNE, The Road To Detour Lake, pg. 27.

Roger Betz, Northern Ontario Tourist Outfitters Association Secretary-Manager, Letter to Rene Brunelle, Provincial Secretary for Resources Development, Oct. 20, 1980.

7G. A. Wright, MNR Cochrane Distict Manager, Letter to G. F. Wetherall, Regional Director, Northern Region MTC, Nov. 14, 1980.

⁸Clive Dorland, Cochrane Board of Trade President, <u>Letter</u> to Rene Brunelle, Nov. 17, 1980.

9RCNE, The Road to Detour Lake, pg. 51.

10 John H. Sparling, Environmental Applications Group Ltd. President, Letter to Joe Veverka, Nov. 24, 1980.

11 John H. Sparling, EAG Ltd. President, Letter to Kevin Scully, Ministry of Industry and Tourism, Nov. 24, 1980.

12 Rene Brunelle, Provincial Secretary for Resources Development, Letter to Joe Veverka, Nov. 14, 1980.

13RCNE, The Road to Detour Lake, pg. 54.

FOOTNOTES

PART 2

continued

14 Rene Brunelle, Letter to Joe Veverka, Jan. 7, 1981.

15z. Betanski, Policy Co-ordinator, Policy and Priorities Division, Ministry of Industry and Tourism, Letter to Dan Shantil, Review Co-ordinator, Environmental Approvals Branch, Ministry of the Environment, Feb. 19, 1981.

16_{C.P.} Felber, Notes from Meeting, Oct. 8, 1982.

17 Richard Buell, Timmins Daily Press, June 5, 1982.

18 Dennis Cromarty, Grand Chief, Grand Council Treaty #9, Letter to J. D. Fahlgren, RCNE Commissioner, Feb. 9, 1981.

19 Rene Brunelle, Letter to Harry Parrott, Minister of the Environment, Feb. 26, 1981.

20 RCNE, The Road to Detour Lake, pgs. 69-70.

21Z. Betanski, Letter to Dan Shantil, June 16, 1981

22 RCNE, The Road to Detour Lake, pg. 97.

23_{Ibid.}, pgs. 87-88.

24 Ibid., pgs. 91-92.

William G. Davis, Premier of of Ontario, Letter to Lorne Almack, President of the Federation of Ontario Naturalists, April 8, 1981

26 James Snow, Minister of Transportation and Communications, Letter to Gerry Le Sauvage, Royal Commission on the Northern Environment, Aug. 3, 1982.

27RCNE, The Road to Detour Lake, pg. 38.

NOTE: all underlining including in the quotes used in part 2 of this report was added by the authors, unless otherwise indicated.

PART 3

ENVIRONMENTAL ASSESSMENT ACT

In plain fact it is a careless overstatment to suggest that the Environmental Assessment Act has ever been applied to anything. It has bowed and scraped; it has cringed; it has looked the other way--but 'applied'? Not so you'd notice...It is offensive nonsense to suggest that the province has 'lived by the rules', for it has done nothing of the sort; it has systematically flouted, suspended and abused those rules ... Even the cautious Minister, Dr. Parrott has announced that private sector construction projects will remain exempt from the act, for the next few years at least. But, some day the provisions of the act will be extended to include them as well. And why not? Vacuums come in all sizes.

"A Little More of Nothing"
Globe and Mail, June 16, 1980.

Strong words, especially from such a well-Known and highly renowned newspaper, but they are words that fully describe the situation, both past and past and present, when it comes to the famous (or infamous) Environmental Assessment Act of Ontario (refer to figure 1 at the back of this report).

According to the Act itself (section 2):

The purpose of this Act is the Betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment. The Royal Commission on the Northern Environment had this to say about the Act in its 1981 report on The Road to Detour Lake:

The main objective of the Environmental Assessement Act, essentially, is to improve the process of decision-making. The legislation is broad in scope in order that decision-makers can be provided with information on the entire range of effects that a project might generate. The administrative process established by the Act is designed to ensure that all reasonable alternatives, with their positive and negative consequences, are evaluated by the proponent (defined below) of a project that is subject to the Act, and that these factors are carefully weighed -perhaps traded off--before a decision is made, both on the best project to propose, and on whether the project is a good one and is to be approved.1

DEFINITION OF PROPONENT

Again referring to the Environmental Assessment (EA)Act itself, "proponent" is defined as a person who:

...carries out or proposes to carry out an undertaking, or is the owner or person having charge, management or control of an undertaking (Section 1(k)).

Now, although the EA Act has been praised by many, a point which is pursued later in this report, it does have its share of problems, not the least of which is the above definition for "proponent."

Although the Ministry of Transportations and Communications was named the proponent of the Detour Lake gold mine road access project in August of 1980, there still existed a certain degree of confusion as to which Ministry really was responsible for the project (see preceding chapter of this report). As stated above,

the proponent is the person who "carries out or proposes to carry out (emphasis added) an undertaking." As shown earlier, a formal request for financial assistance to construct a road was made by Amoco Canada, the company which originally discovered gold at the Detour Lake site, as early as March of 1978. However, the request was to the Ministry of Natural Resources, not the MTC. In fact, the MNR called and chaired the initial interministerial meeting or the development on July 6, 1979. Later, it was the Ministry of Northern Affairs which negotiated a cost-sharing arragement with the Detour Lake joint venture company.²

But it was clear no one wanted to take on the responsibility as the Ministry of the Environment was unwilling to accept just "the Government" as a proponent. Eventually, as already noted, MTC was named the proponent.

Therefore, some of the problems that came up during the entire entire Detour Lake road matter stemmed from the fact that no one in the provincial government was willing to fully accept the responsibility—and the accompanying headaches—of the project.

Obviously a clearer definition of a "proponent" in the EA Act itself would have solved a number of difficulties. Perhaps if one proponent had been selected immediately, the subsequent waste of time may have been avoided.

As it turned out, the selection of a proponent in this case was a waste in itself as the road project was exempted from the requirements of the EA Act on Feb. 11, 1981 with an order-in Council.

The exemption section in the EA Act, Section 29, is without a doubt the most serious shortcoming in the entire Act. Under the section:

Where the Minister is of the opinion that it is in the public interest, having regard to the purpose of this Act and weighing the same against the injury, damage or interference that might be caused to any person or property by the application of this Act to any undertaking, the Minister, with the approval of the Lieutenant Governor in Council may designate, may by order, (a) exempt the undertaking or the proponent of the undertaking from the application of this Act or the regulations or any matter or matters provided for in this Act or the regulations subject to such terms and conditions as the Minister may impose; (b) suspend or revoke an exemption referred to in clause (a); (c) alter or revoke any term or condition of an exemption referred to in clause (a).

R.S.O. 1980, c. 140, s. 29

At first, the EA Act, even with its Section 29, was praised. In fact, most still believe it is a good piece of legislation. Shortly after the Act became law in 1975, the Deputy Minister of the Environment gave an address to the 23rd Industrial Waste Conference in 1976:

I want to emphasize that the Act is intended to bring about a consideration not just of the possible effects of a project on the natural environment -- the air, land, water and plant and animal life--but to consider also the effects on man, the man-made environment, and on society, including economic factors. That's why the Environmental Assessment Act is more than a pollution control statute. A second point I want to stress is that the Environmental Assessment Act is designed to operate very early in the planning and design process. The reason for this is to ensure that government and public review of potentially significant effects can take place at a time when options are still open. Too often in the past, there has either been no compregensive evaluation of the implications of available options or this evaluation has only taken place after a proponent and the public have reached the point of confrontation.

Ironic words, expecially after one looks at the Detour Lake example.

170 EXEMPTIONS

But without even counting the Detour Lake fiasco, the EA Act has seen its share of the spotlight since that Deputy Minister's speech in 1976. A March, 1980 report funded by the Royal Commission on the Northern Environment pointed out that:

The Minister has, to date, exempted approximately 170 specific undertakings, not dealt with in the sweeping exemptions contained in the regulation.

However, the same report also notes that the EA Act does have its good points:

Ideally, many benefits result: Rather than narrow, issue-specific evaluation, it encourages a holistic view that takes in the entire complex of social, economic and physical environmental effects including secondary, off-site and cumulative effects; it promotes a more realistic assessment of the total costs involved in a project, with an understanding of who pays the indirect costs; it gives the public an opportunity to become involved at an earlier stage in the decision-making process, rather than after important commitments have been made.

In a recent newspaper story, a former Cabinet minister said the EA Act is probably "the best in the world".

However, the story also said:

Unless Ontario streamlines the Environmental Assessment Act, the legislation will be avoided and finally destroyed, Robert Macaulay, a Toronto lawyer and former Cabinet minister, has warned. Mr. Macaulay said yesterday (Mar. 26, 1981) that public hearings on one recent project that could have been done in four days took 35 days...He warned that if the procedures for getting projects through hearing stages are not made more effective, "government and agencies will try to get out from under it."?

Thus, not only does the public suffer when a project is exempted from the EA Act, it also sometimes suffers when a project does go through the entire process.

However, Macaulay did defend the exemptions to some extent in the story:

(He) said "some people say it should be called the 'Environmental Exemptions Act.'"
Later he defended the exemptions, saying that if the act had come into full force immediately "it could bring the whole province to a standstill. It was too big. There had to be exemptions."

Clearly, then, the exemptions section of the Act cannot be dispensed with. It should be retained in the case of an emergency...but it must be amended, along with the rest of the Act, as it is so everwhelming that a government Cabinet minister broke the law trying to avoid it.

James Snow, the Minister of Transportation and Communications, and his deputy minister Harold Gilbert were convicted in 1981 of breaking the EA Act in connection with the extension of Highway 404 (about 15 kilometres north of Toronto).

According to one newspaper report:

The two officials had authorized the construction of an eight-kilometre expansion of Highway 404 in York Region in early May, before the expiration of a 30-day period for citizens to apply for environmental hearings...Six days of work had been completed when (Premier William) Davis granted the exemption in late May...In court, Gilbert took full blame for the charges and said Snow authorized the construction of the extension totally on his advice. He said local municipalities had been pressing for rapid completion of the project.

There are also those who would prefer to have the entire Act repealed, rather than amended or changed:

Stop the hypocrisy, scrap the Environmental Act. The Davis government is manipulating the assessment process to meet its own political ends. It's sheer hypocrisy to have an act and not to apply it. Ontario has notoriously abandoned the environment by allowing such projects as the Darlington Nuclear generating station and the Detour Gold Mine access road to proceed with no assessment whatsoever.

The above comments were made by Grand Chief Wally McKay of Grand Council Treaty #9 in a news release written shortly after the Detour Lake access road exemption was made public.

McKay, the chief of the 20,000 Ojibway and Cree people of the Nishnawbe-Aski nation claimed in the release that the Detour Lake gold mine violates the traditional lands of his people, and added "The Nishnawbe-Aski nation is weary of the false promises and bad faith of the Davis government. We should protect the environment. We can do.it; we've been doing it from time immemorial."

SINKING MORALE

In 1981, a story appeared in the Globe and Mail which further illustrated the difficulties with the EA Act:

Morale in the Ontario Environment Ministry is sinking because of recent cabinet decisions to exempt highway projects from the Environmental Assessment Act, a ministry official says. Dan Shantil, a planner in the ministry, said in an interview...that his colleagues plan to tell Environment Minister Keith Norton of their concern about the government's commitment to the Act. Cabinet announced on June 26 (1981) that it was exempting a Northern Ontario highway from the provisions of the Act.

It was the second time in a month that a highway project had been exempted when the environmental assessment process was near completion. Mr. Shantil said he agrees with environmental activists who say the latest exemption may be a precedent for other ministries and industries to disregard the Act. The 158-kilometre (99mile) highway is to serve the Detour Lake gold mine northeast of Cochrane near the Quebec border ... Mr. Shantil said the governement was in a bind because the commitment it gave to the owners of the \$143million mine did not allow enough time for the normal environmental assessment process... In a news release announcing the exemption, the Environment Ministry said the decision was made because "normal approval procedures could be expected to delay the start of construction by a full summer season."10

In the story, Shantil therefore confirmed that the Detour Lake access road exemption was more than just another in a growing list of exemptions.

Of course, Detour Lake was not the only controversial exemption. One environmental group wrote a brief to Premier Davis expressing its dismay on the renewal of the exemption from the EA Act for forest management activities under the jurisdiction of the Ministry of Natural Resources which was being considered by the government in 1981:

It is...clear to us that the aims of protecting wilderness and stabilizing the forest industry requires the same policy of sustained yield resource management for their achievement. This is a policy which wintour view, stands in marked contrast to the historical approach to "multiple use." The Environmental Assessment Act which your government wisely put in place provides, we believe, the appropriate framework and process for gauging the effects of such a major policy shift. It is from this vantage point that we are addressing the issue of further

exempting forest management activities from the previous exemption and in brief, our concerns are as follows: The scope of exempted activities is too broad... public input is too restricted...exceptional forest management projects should be excluded from any future exemption ... any future EA exemption should provide wider opportunity for public involvement ... the Environmental Assessment Steering Committee should be given a clear role in the exemption process before any further exemptions are approved. I trust that these proposals will meet with your favourable consideration. Our motivation in presenting them to you is to encourage more effective use of existing environmental assessment legislation.

A complete and thorough analysis of the EA Act, its possibilities and limitations appeared in the Royal Commission on the Northern Environment's report on The Road to Detour Lake:

> Northerners have long complained about the lack of involvement in decisions affecting their lives. Many of these decisions concern major developments in Northern Ontario which have important economic consequences for the environment... Northerners have repeatedly stressed to the Commission two main concerns: that Northerners must be involved in the decision-making process on issues that effect them; and that development, when it occurs, should proceed in an orderly fashion, in concert with and not at the expense of the environment. The EA Act is only one part of the decision-making process on matters that affect economic development and productivity on the one hand, and environmental protection and management on the other. The EA process cannot address all these issues, nor resolve all the conflicts that may occur...Within its limitations for influencing development, the EA Act nonetheless provides a comprehensive perspective on whatever issue or undertaking is being considered ... Provisions in the EA

Act can thus offer the public an important insight into and justification for both the evolution and outcome of the decision-making procedures that occur in a particular case. What the EA Act and process can do, therefore, is to provide a rational, accessible process for environmental decision-making, and also important, a clear public pattern of accountability for environmental decisions. 12

The key word, then, in the above underlined passage is "can."

The EA Act "can" do this and it "can" do that...problem is, it

often doesn't because it isn't given the opportunity.

IMPROVEMENTS NEEDED

As an organization which has for many years supported the full application of the Environmental Assessment Act in Ontario, The Conservation Council of Ontario would like to take this opportunity to present its views on a major threat to the integrity of the Act... In the Council's opinion, if the Act is to fulfill its potential as a compregensive environmental planning tool, "the process of approving exemptions warrants greater definition and public input. Decisions to exempt projects should also the tied more closely to the purpose of the Act...Substantial improvements in both areas will not require an overhaul of the legislation or Ministry administration. (The) major weaknesses of the exemption process (include): The exemption powers are open to abuse...the scope of class assessments should be restricted...the future of the Environemental Assessment steering Committee is unclear. Taken as a whole, these exemptions raise questions about how willing the government itself is to be bound by the Act, even though Section 4 of the Act makes it clear that the Act does apply to the Crown. They also, by the token, allow the government to base decisions on traditional client group pressure and political expedience -- critieria

which the Act is supposed to replace. An example of the extent to which the Crown considers itself bound by the Act is the recent exemption of ... the Detour Lake Access Road. While the government has claimed this exemption does not rejudice the final outcome of the assessment process, the Council does not accept this position. It views this segmentation as precluding the full consideration of alternatives to the undertaking. This certainly cannot be considered as allowing citizen involvement in a long range planning process...Given the widespread public dissatisfaction with the Government's handling of exemptions, a strong case can be made for attempting to solve the problem by amending the legislation.

A letter to the chairman of the Royal Commission on the Northern Environment dated Feb. 9, 1981 from Grand Council Treaty #9 was a little more specific with the above mentioned "public dissatisfaction:"

The application of the Environmental Assessment Act to the road and its lack of application on the mining site itself is a clear indication of the ineffectiveness and redundancy of the Act itself. The Environmental Assessment Process has not proven effective elsewhere to date and does not guarantee that it will in this particular project (Detour Lake). 14

Surprisingly, the Minister of the Environment agreed, at least in part, with some of the points raised by Grand Treaty #9 and other groups. In his own letter to the RCNE chairman, the Minister said:

A key problem discussed in your report (on Detour Lake) was the distinction made between economic development interests and environmental protection interests. I recognize that an intent of the Environmental Assessement Act is to provide a predictable public procedure in which legitimate, yet often conflicting interests can be fully examined and

balanced when considering major evelopment proposals. Yet, a problem of attitude and perception persists -- that there is an irreconcilable choice between development or destruction and deterioration of the natural and man-made environment. I believe this is changing; the Act and analyses such as yours are contributing to the positive change in attitude... I feel that (the) shortcomings (with the Detour Lake access road project) stemmed mainly from the fact that the public sector road building activities were subject to the Act, while the private sector activity of establishing the mine that eventually triggered a need for transportation and other infrastructure, was not subject. This precluded the comprehensive and public consideration of all aspects of development at the concept stage when there was still flexibility and choice; but that is the benefit of hindsight. 15

He noted correctly that the Act, at present, only applies to "enterprises or activities or proposals, plans or programs in respect of enterprises or activities...by a public body or public bodies or by a municipality or municipalities." (EA Act, Section 3(a)).

But his most startling, and yet still obvious point came in later in the letter:

Developments similar to the Detour Lake project are likely to recur in Northern Ontario and are also likely to have broad and significant effects on the whole environment. The EA Act could certainly help to bring comprehensive and consolidated planning to public sector involvement in private sector initiatives for

furthering resource development in the province, while also balancing economic, social, and evironmental interests... Because Ontario is the innovator with environmental assessment legislation, it is not uncommon that we have to develop new and often untried procedures to deal with unpredictable administrative problems. To this end, the Premier and I have stated our intention to address these periodic situations by the establishment of a permanent Environment Assessment Advisory Committee. We believe that the Committee will provide an important forum for bringing forward constructive ways to ensure an integration of all related components of complex northern developments.

MORE NEEDED

An advisory committee is good, and it's a great first step...but it's not enough. As David Estrin pointed out in the conclusion of his brief, "Legal Aspects of Environmental Impact Assessment in Ontario (June. 1977):

It will be noted that there is immense discretion under the (Environmental Assessment) Act retained by the Cabinet and the Minister, not the least of which includes discretion in having the act applied to any activity whatsoever...these and further ministerial discretions together with the acts failure to contemplate provision of funds for private persons and public interest groups desiring to make representations at hearings for which proponents have already perhaps spent many millions of dollars in preparation show that while the act's potential' for achieving sound environmental planning and public participation in the process is without parallel, its effect in practice will depend on the intention of the government. 16

So what should be done? As pointed out by the Ontario Mining Association:

It may take a solomon to decide between the interests of the piople in the North who occupy the land and the interests of the Southerners who need the resources. 17

FOOTNOTES

PART 3

The Royal Commission on the Northern Environment, The Road to Detour Lake, An Example of the Environmental Assessment Process in Ontario, 1981, pg. 27.

²<u>Ibid.</u>, pg: 21

3_{Ibid., pg. 41.}

4 <u>Ibid.</u>, pg. 26.

⁵Canadian Environmental Law Research Foundation, The Legal and Administrative Basis of Land Use and Environmental Decision-Making North of Latitude 50° A Guidebook and Selected Observations, March, 1980, pg. 113.

6_{Ibid}., pg. 116.

⁷Michael Keating, <u>Globe and Mail</u>, Mar. 27, 1981.

8 Timmins Daily Press, Sept. 12, 1981.

9Grand Chief Wally McKay, News Release, 1981.

10 Geoffrey York, Globe and Mail, July 7, 1981.

Algonquin Wildlands League, Arlin Hackman, Brief to Premier William Davis, Mar. 18, 1981.

12 RCNE, The Road to Detour Lake, pgs. 80-81.

13 Conservation Council of Ontario, Brief to Premier of Ontario on Exemptions to the Environmental Assessment Act, May 27, 1981.

14 Grand Chief Dennis Cromarty, Letter to Royal Commission on the Northern Environment Commissioner, Feb. 9, 1981.

FOOTNOTES

PART 3

Continued

- 15 Minister of the Environemtn Keith Norton, Letter to Royal Commission on the Northern Environment Commissioner, July 21, 1982.
- 16 David Estrin, Legal Aspects of the Environmental Impact Assessment in Ontario -- The Ontario Environmental Assessment Act, June 1977.
- 17Bruce Campbell, Assistant to the Executive Director, Ontario Mining Association, Letter to Royal Commission on the Northern Environment, July 12, 1982.

3

*Note: all underlining included in the quotes used in part 3 of this report was added by the authors, unless otherwise indicated.

PART 4

RECOMMENDATIONS

If this report has fulfilled its objective, then it should now be more than obvious that:

- (1) There is a distinct lack of decision-making influence in Northern Ontario, even for projects and events taking place in Northern Ontario itself;
- (2) The Detour Lake access road project was a good example of a poor example of the Environmental assessment process in the province;
- ing the last commercial tourism area left in the Cochrane District due to (a) forestry access roads and (b) the non-existant security of a year-to-year Land Use Permit (the Minister of Natural Resources has even gone on record as saying "The tourist outfitters think we don't have a proper access road system, and they're right");
- (4) Something must be done to remedy the situation.

 Now, of course the Detour Lake access road is now well underway and is beyond retrieval, so nothing more can be said about
 it.

However, comments and recommendations can be offered on the province's Environemental Assessment Act and decision-making in general, especially when it comes to land use planning.

Such recommendations have been made already by others, and most of them make a great deal of sense and are repeated here. Along with those recommendations, though, are originally presented to the Minister of Natural Resources by the Cochrane Tourist Outfitters Association at a meeting held in Cochrane on Oct. 29, 1982. As this report primarily concerns the tourist outfitters, who are, in effect, the environmentalists of the Cochrane District, their recommendations will be presented here first.

RECOMMENDATIONS:

- (1) Tourist outfitting must be recognized as a legitimate, long term land use. This means land use permits or licenses of occupation shuld be issued to tourist outfitters for a minimum of 20 years. This will provide the outfitters throughout the entire province with the certainty needed to enable us to plan for future investments and future developments.
- (2) Once such land use permits have been issued for a specific area, the Ministry of Natural Resources shall not permit other uses within the area unless:
- (a) the use poses no conflict to the tourist outfitter;
- (b) there is no other means of accommodating the competing use;
- (c) to the extent that the Ministry of Natural Resources permits incompatible uses within an areaalready under permit to a tourist outfitter, the MNR shall provide the outfitter with a suitable alternative area and provide compensation for the cost of relocating and/or reconstructing his facilities.

- (3) Forestry cutting must be carried out in a manner that enhances wildlife habitiat, particularly moose, and does not adversely impact on water resources.
- (4) A planning process to determine the need and potential resource use conflicts associated with proposed forestry access
 roads should be established. Such a process must be structured
 so that resource users (i.e. tourist outfitters) within the area
 of the proposed road (or their organization) are consulted on
 the potential adverse impact of the proposed road and ways and mean
 of resolving the conflict and minimizing the impact. Consultation
 shall take place as far in advance of the proposed road construction as possible.
- (5) All forestry access roads must be located according to standard regulations designed to minimize impact on resources and resource users within the area. Roads must also be located according to the guidelines proposed by the Northern Ontario Tourist Outfitters Association (NOTO).
- (6) Using the NOTO guidelines, all main forest access roads shall be located at least 1.5 kilometres from the reserve around lakes designed for outfitter use; all secondary forest access roads shall be located at least 600 metres from the reserve around lakes designated for outfitter use, and; all tertiary roads shall

be located at least 200 metres from the reserve around lakes designated for outfitter use.

- (7) Access roads must be constructed and operated in a manner that minimizes impact on other resources, particularly fish and wild-life.
- (8) Once the area served by the road has been logged and regeneration established, all secondary and tertiary roads shall be destroyed to a distance of 1.5 kilometres from the reserve around designated lakes, or to where they join a main road, whichever is encountered first.
- (9) Therefore, using the above recommendations, all forestry access roads should be located, constructed, operated and closed according to guidelines, applied consistently and uniformly throughout the District.
- (10) The draft version of the Environment Ministry's project screening document should be tabled for discussion by a Standing Committee of the Legislature. Opportunity for interested parties to submit briefs should be provided and a report issued summarizing the proceedings.
- (11) The criteria used for allowing exemptions, namely, the "public interest" (Sec.29 of the Environmental Assessment Act) must be narrowed considerable, as virtually anything can just-ified by the "public interest."
- (12) The definition of "proponent" in the Environmental Assessment Act (Sec. 1 (k)) must be more clearly defined to avoid any future misconceptions and confusion.

- (13) The application of the Environmental Assessment Act (Sec. 3) must be broadened to include both public and private undertakings, as well as the aforementioned forestry undertakings, including access roads.
- (14) More time must be allowed for the public to inspect an environmental assessment of an undertaking, as 30 days is insufficient (Sec. 7.2).
- (15) All projects should be systematically screened or prescreened with a view to determining whether or not public projects should be exempted from the Act; private projects should be designated under the Act, as called for in recommendation 13, above.
- (16) Prescreening as called for in the preceeding recommendation should be done pursuant to general regulations. It is important that the criteria used to prescreen projects be public in the sense that regulations enacted pursuant to the Act are public and available to all interested and concerned persons.
- (17) There must be a mechanism that guarantees public input into the prescreening process as well as the decision to exempt or designate a project. One suggestion (agreed to by the Premier of Ontario in 1981) was a citizen advisory council, to be set up by the Premier to advise the Ministry of the Environment on exemption matters. (Although a commitment was made to establish such a council more than a year ago, no steps have been taken to appoint a council or determine its role in the exemption granting process, as of Dec. 1, 1982).

- (18) Public input must also come from the affected community, in addition to public advisory council. The public must be notified of all projects undergoing the screening process, and have full access to all relevant documents. The public should also be encouraged and, where appropriate, assisted in preparing their comments on the project and the desireability of a full assessment under the Environmental Assessment Act.
- (19) There should also be some degree of involvement by the public prior to the Environmental Assessment process.

 To ensure this is done:
- (a) All District Ministry of Natural Resources offices should have an up-to-date list of all plans and projects covered by the Act on public view;
- (b) The MNR or appropriate Ministry must be obligated to inform any party potentially affected by a given project on how they can take part in the planning of that project if possible, and;
- (c) A provision should be established to set out the criteria and procedure by which an individual project formerly covered by an exemption under the Environmental Assessment Act, may become subject to an environmental assessement.
- (20) The proponent of an exempted project should be responsible for producing periodic status reports on the environment affected

by the project during the exemption period. Notice of the availability of these reports should be made public through various means, including the local media in the affected community and "EA Update."

- (21) Whether a project is exempted or not, the exempting authority (e.g. the Minister acting on the advice of the proposed citizen advisory council) must give full and complete reasons for its decisions.
- (22) Furthermore, future exemption orders should specify the relevant government policies which will cover the planning and implementations of the under taking throughout the exemption period and which are available for public examination, and; (23) If an undertaking is exempt on the basis of safeguards available in existing legislation, then those safeguards should be spelled out in the exemption order with reference to the corr-
- (24) The government should seriously consider, as suggested by a former Cabinet member, "streamlining" the Environmental Assessment Act to make the procedures for getting projects through hearing stages more efficient.

esponding legislative provisions.

(25) During any government review of the Act, serious consideration should also be given to modifying the exemption section,

Section 29, as the potential for abuse remains in the Act.

However, the exemption section must remain in some form, albeit with more safeguards, in the event of an emergency in the future which might require an exemption under the Act. If this route is taken, a comprehensive outline on just what would constitue an "emergency" should also be included in the revised Act and strictly adhered to.

A quotation from Edmund Burke was used in the introduction to this report—it seems appropriate to end it with his words as well:

A nation without the means of reform is without the means of survival...Bad laws are the worst sort of tyranny...The only thing necessary for the triumph of evil is for good men to do nothing...All government—indeed, every human benefit and enjoyment—is founded on compromise and barter.

4

Edmund Burke

FOOTNOTES

PART 4

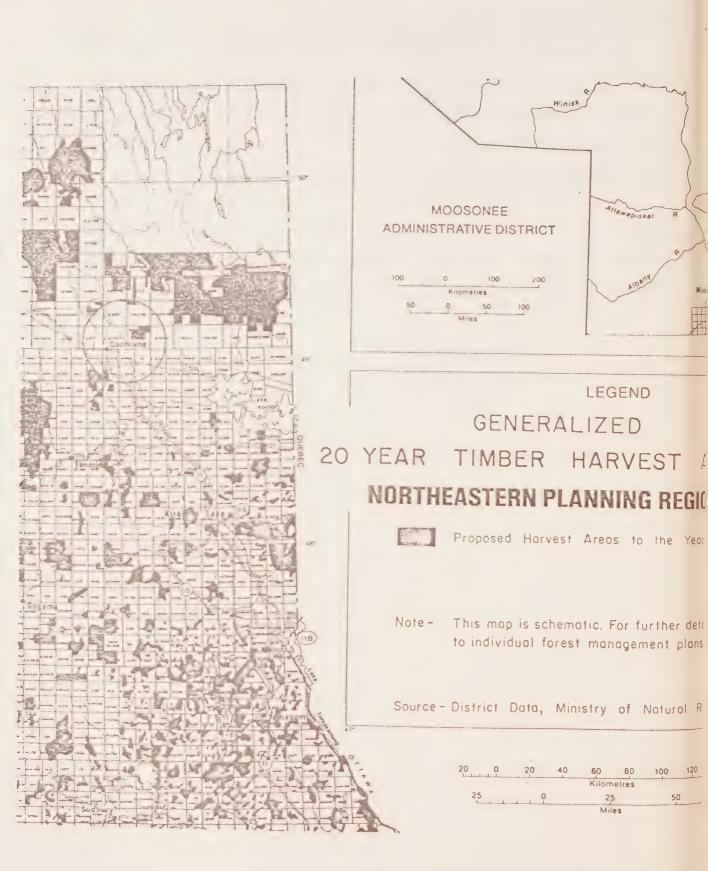
¹ The Cochrane Northland Post, Nov. 3, 1982.

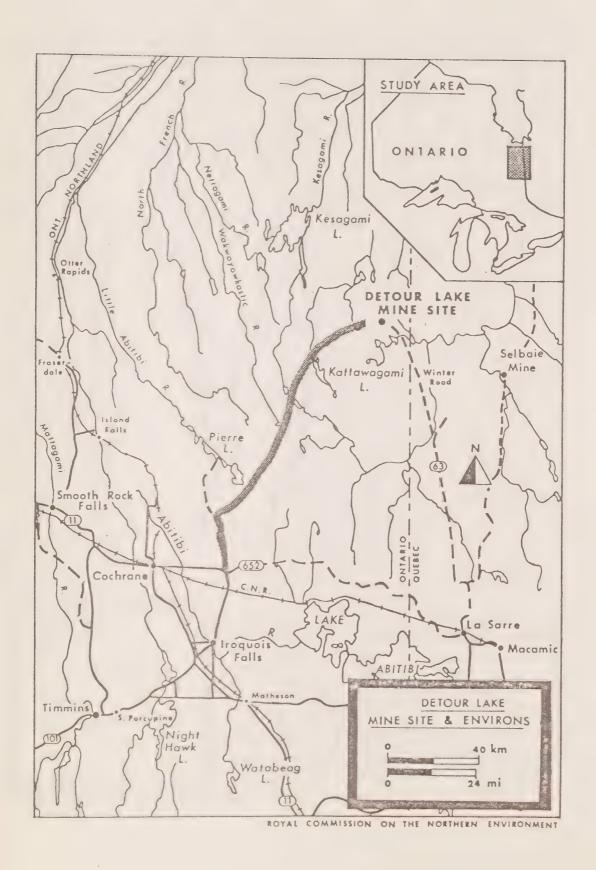
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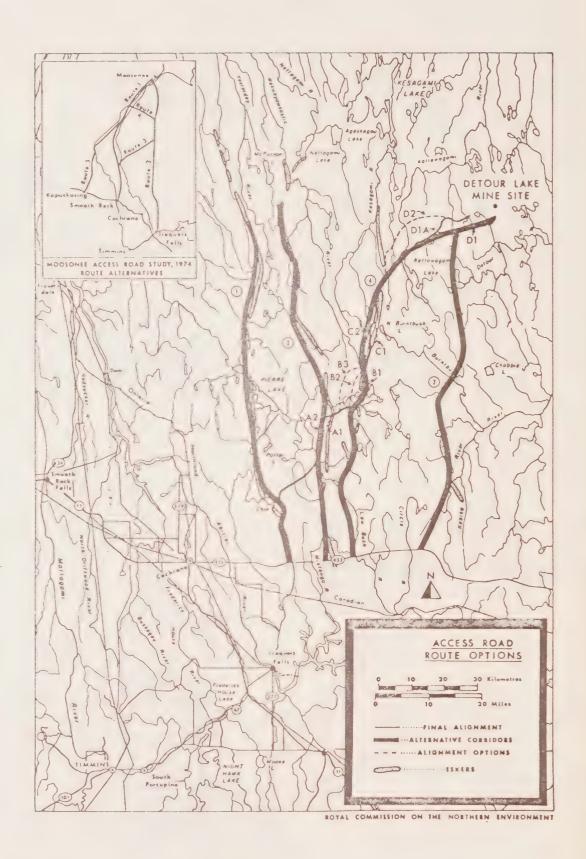
MAPS AND DIAGRAMS

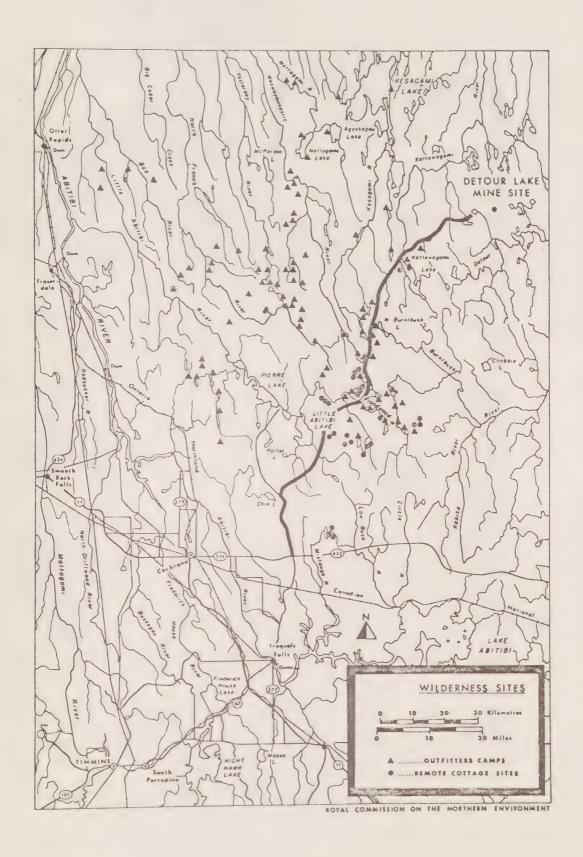
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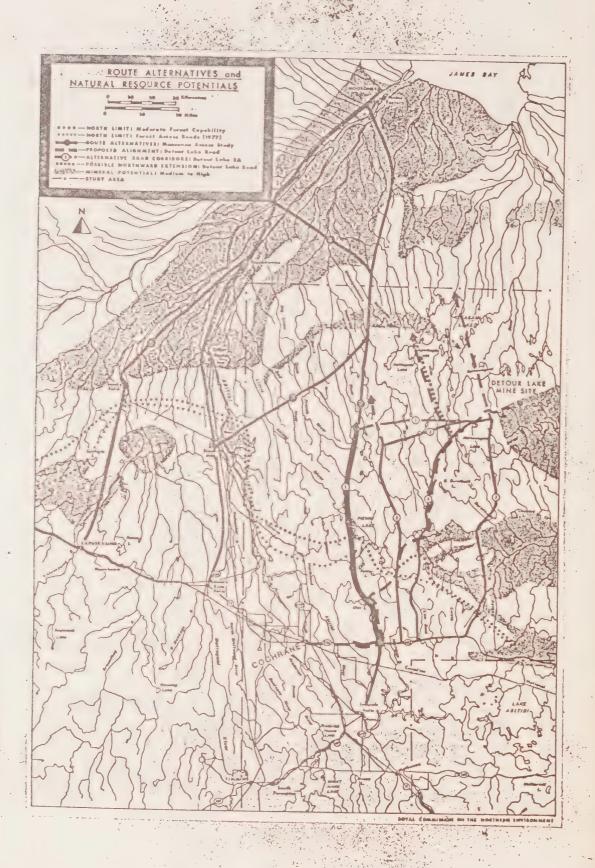
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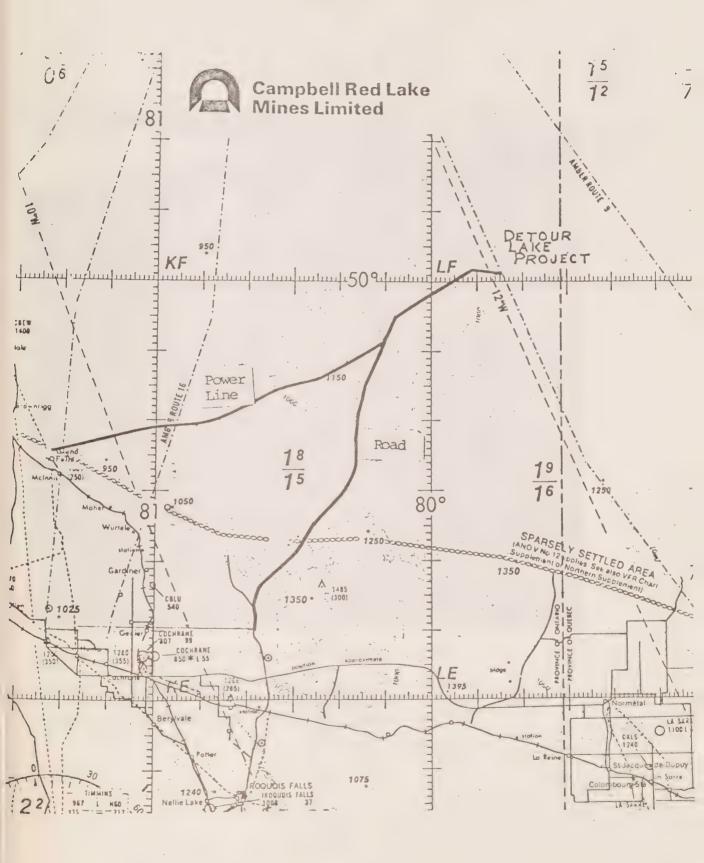








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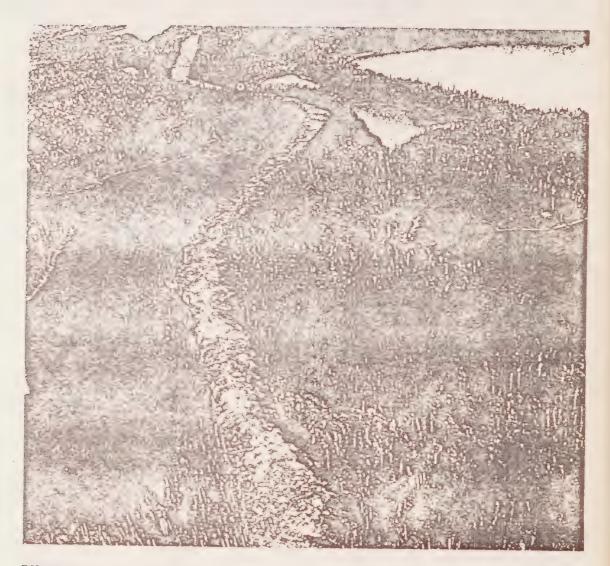


PHOTO 1 — A commercial outpost camp on Loune Lake can be seen at right, centre, near the cleared segment of the Detour Lake road alignment, photographed September 1981.

(RCNE)

BASIC FLOW DIAGRAM OF THE ENVIRONMENTAL ASSESSMENT ACT 1975



Kee'd NOV 20 1982 27 11 82

Proposal RE: Metis Indian Land Settlement Pagwa River Crossing

Mr. & Mrs. Bart Verruyt present the following

the Dettlement by one of the following means-C.N. worker, trupper, farmer, wood-workers, etc.

No da

as necessary.

2. Temporary residents be encouraged to continue to have Paywa River as their part-time residence to develop a seasonal hobby-type extra occupation 3. A road committe administer the care of the road from the community to Highway 11, namely the present Pageva Road.

4. That the following properties be acquired as part of the settlement

(a) Hudson's Bry Co. property as per map #2 (b) Natural Resources areas (crown land) that enclude all cleared land for the now abanded air part, including runways, abanded trulding sites of previous residents Ostvated within rectangular proposed village site as indicated per accompanying map # 2

(c) Conadian National Mailways areas not presently in use or land areas which will be not used in future (when svailable). These to include abandoned spur line south and pond area which is design-

ated on accompanying map # 2

(d) Anglieur Church properties so per map # 2 (2) Crown Land Southward to number 11 Highway, last of Pagwachuan Kiner and adjacent to both sides of Pagwa Road suitable to farming as indicated on map #2.

5. That a predetermined available Junding be sufficient to cover casts of (a) hecesaary legal fees (b) acquire basic machinery transportation and installation of it (c) establishing basic buildings (d) necessary hered personel (e) Some necess expenses re: transportation, lodging, food of work encured in following feasibility study: Terms of interest to be included in feasilies 1. Methods to acquire afarementioned properties, mutually acceptable to all concerned parties as much as possible. suitability of acquired properties for interesuses toward a viable community as follows (6) Crown lands for farming purposes, (b) Forest product usage to supply developing crafts shops, manufacture of articles to be retain in the south in the south (e) admisability of necessary machines to be acquired, set up, housed, to supply material such as sawn lumber for craftwork and manufacture of retailable items, and especially waitability of secondary wood types for setting up of same: (d) Placement of tourist lodge office and ne craftshop. (e) the cleaning of vacated sites for establish of garden for production of vegetables.

(f) Establishment of wild rice growing are present pond area or nearly lates.

19) Establishment of conservation area, - 3 mile Lake Beaver Warns. (h) Suitabelity of Pagwa River Fording Shallow as mine - electricity former site.

(i) Establishment of historical cairn at least to remember historical importance of Pagwa River as supply route for H. B. C. and Revlow Frère companies in the early 1900's Use of Pagwa River Crossing Community as a transition area of resettlement from remote creas such as Ogoki, Mossonee, attawaparkat possebly through added assistance of service groups such as Mennonite Central Committe International or 4 Establishment of Pagwa River as an orienteering base for furthering practical vocational skiels by interested Metes - Indian young looples or teens beginning with a basic community served elementary school. 5. Curtailment of activities within adjoining community areas until reasonable time for

feasibility Considerations.

Hopefully this information is satisfactory

This document can be utilized as a minisubmission to the RCNE representative of a comprehensive brief pending the completion of a feasibility study on this particular overview.

Bart Verruyt

BART VERRUYT ZONE TIL DIRECTOR ONTARIO METIS ASSOCIATION

your Truly,

#1 PAGWACHUAN RIVER RIVER Pagwa Luca Crossing: APPROX 43 mi. 6.88 Km C.N.R. PAGWA ROAD APPROX 1.3 me 1,99 K #11 HIGWWAY Scale: 1cm

- K Pynish , Hudson Bay L Potvin, James 3 Anglican M Lansrerke, Peter Gillies, (Larry) John N Frost, Harvey Taylor, Gilbert O Williams, Jiramy P Wesley, Chris Q Wesley, Walter Faries, Alice Harvey Frost (see (N) Wesley, R Rueben, Caleb Bicknell District School Wesley, Paul Rueben, Christie * T Benignis, Gelinds *
V AIRPORT Taylor, George X MINI - HYDRO (PROPOSED) Map showing properties and corresponding owners by letters. * No buildings -



TYPED FROM ORIGINAL SUBMISSION

Proposed RE: Metis Indian Land Settlement Pagwa River Crossing

Mr. & Mrs. Bart Verruyt present the following plan.

- That permanent residents continue to develope the settlement by one of the following means - C.N. worker, trapper, farmer, wood-workers, etc. as necessary.
- 2. Temporary residents be encouraged to continue to have Pagwa River as their part-time residence to develop a seasonal hobby-type extra occupation
- A road committee administer the care of the road from the community to Highway 11, namely the present Pagwa Road.
- 4. That the following properties be acquired as part of the settlement
 - (a) Hudson's Bay Co. property as per map #2
 - (b) Natural Resources areas (crown land) that include all cleared land for the now abanded airport, including runways, abanded building sites of previous residents situated within rectangular proposed village site as indicated per accompanying map #2
 - (c) Canadian National Railways areas not presently in use or land areas which will be not used in future (when available). These to include abandoned spur line south and pond area which is designated on accompanying map #2
 - (d) Anglican Church properties as per map #2
 - (e) Crown Land southward to number 11 Highway, east of Pagwachuan River and adjacent to both sides of Pagwa Road suitable to farming as indicated on map #2.
- 5. That a predetermined available funding be sufficient to cover costs of (a) necessary legal fees (b) acquire basic machinery transportation and installation of it (c) establishing basic buildings (d) necessary hired personel (e) some necessary expenses re: transportation, lodging, food of workers encured in following feasibility study:

Terms of interest to be included in feasibility study -

- 1. Methods to acquire aforementioned properties, mutually acceptable to all concerned parties as much as possible.
- 2. Suitability of acquired properties for intended uses toward a viable community as follows:
 - (a) Crown lands for farming purposes,
 - (b) Forest product usage to supply developing crafts shops, manufacture of articles to be retailed in the south.
 - (c) Advisability of necessary machines to be acquired, set up, housed, to supply material such as sawn lumber for craftwork and manufacture of retailable items, and especially availability of secondary wood types for setting up of same.
 - (d) Placement of tourist lodge office and new craftshop.
 - (e) Re-clearing of vacated sites for establishing of garden for production of vegetables.
 - (f) Establishment of wild rice growing areas-present pond area or near by lakes.
 - (g) Establishment of conservation area, 3 mile Lake Beaver Dams.
 - (h) Suitability of Pagwa River Fording Shallow as mine electricity power site.
 - (i) Establishment of historical cairn at least to remember historical importance of Pagwa River as supply route for H.B.C. and Revlon Frere Companies in the early 1900's
- 3. Use of Pagwa River Crossing Community as a transition area of resettlement from remote areas such as Ogoki, Moosonee, Attawapiskat possibly through added assistance of service groups such as Mennonite Central Committee International or C.E.S.O.'S.
- 4. Establishment of Pagwa River as an orienteering base for furthering practical vocational skills by interested Metis Indian young couples or teens beginning with a basic community served elementary school.

5. Curtailment of activities within adjoining community areas until reasonable time for feasibility considerations.

Hopefully this information is satisfactory.

Yours Truly,

Bart Verruyt ZONE III DIRECTOR ONTARIO METIS ASSOCIATION

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Bart Verruyt







